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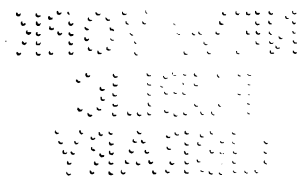
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LYSIAE
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WITH

ANALYSIS, NOTES, APPENDICES, & INDICES

BY

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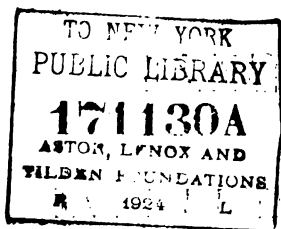
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AND NEW YORK

1895

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TO

R. C. Jebb, M.P., M.A., LL.D.,

PROFESSOR OF GREEK IN THE UNIVERSITY OF CAMBRIDGE

MY DEAR JEBB,

This Edition of my Book, corrected and thus made, I hope, somewhat more worthy of your acceptance, I gladly dedicate to you, as a mark of gratitude for much kindness, a record of an old friendship, and an expression of my admiration for your own work.

E. S. SHUCKBURGH.

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νῦν, ὦ Καλλιόπης θύγατερ, πολυηγόρε Φρόντι,
 δείξεις εἴ τι φρονεῖς καὶ τι πέρισσον ἔχεις.
 τῷ γὰρ ἐς ἄλλο σχῆμα μεταρμοσθέντι καὶ ἄλλοις
 ἐν κόσμοις βίον σῶμα λαβόνθ' ἕτερον
 δεῖ σ' ἀρετῆς κήρυκα τεκεῖν τινα Λυσία ὕμνον,
 δύντι κατὰ φθιμένων καὶ στέφος ἀθάνατον,
 ὅς τ' ἐμῆς ψυχῆς δεῖξαι φιλέταιρον ἅπασι
 καὶ τὴν τοῦ φθιμένου πᾶσι βροτοῖς ἀρετήν.

PHILISCUS, in *Vit.* x. Or.

Est Atticus, quoniam certe Athenis est et natus et mortuus
 et functus omni civium munere.

CICERO, *Brutus*, 16.

Those incomparable speeches : incomparable, I mean, in their
 kind, which is not the highest kind. They are wonderful,—
 Scarlett speaking in the style of Addison.

MACAULAY.

444 444
444 444
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PREFACE TO THE SECOND EDITION.

THE call at a comparatively early date for a Second Edition of this book encourages me to think that its main object has been secured, namely, to induce schoolmasters and others to use an author not much studied lately in England, who deserves attention both for the purity of his style and the light which he throws upon the details of Hellenic life.

The text and notes have been thoroughly revised and corrected, and I hope will now be found free from grave errors. I cannot hope that I shall have done all that might have been done, or shall always carry with me the assent of others. I must, however, premise, in answer to one class of critics, that it has not been part of my plan to give a complete account of the formation of the text. Where I have thought it important I have notified at the foot of the page the sources of a particular reading

and the reasons for which I have preferred it. In other cases I have silently adopted what seemed to me the best and most trustworthy reading. In correcting this Edition I have carefully considered and sometimes adopted changes proposed by Dr. C. M. Francken in his *Commentationes Lysiacæ* (1865), and have availed myself of other critical aids.

I have to thank many critics and friends for their contributions towards correcting and improving text and commentary. I mention with special gratitude, Dr. C. B. Scott, late Head Master of Westminster; Professor Ridgeway of Queen's College, Cork; and Mr. James Mill of Edinburgh. The criticisms communicated to me from Professor Mahaffy have been of service, as also a notice in the *Philologische Rundschau* of Bremen, which, however unfavourable, was so thorough as to be of the greatest use in correcting typographical and other errors.

Two points in connection with the life of Lysias on which my statements have been attacked may be most conveniently treated here—

I. The Chronology of Lysias' life.

The dates given in the *Vitæ X. Oratorum* are as follows :—

Birth	Year of Philocles, B.C. 459-8.
Departure to Thurii .	Year of Praxiteles, B.C. 444-3, i.e. spring of 443.
Return to Athens .	Year of Callias, B.C. 410-1 [sum- mer, for the Four Hundred were in power].
Death	Variously stated as in his 83d, 76th, or 80th year, i.e. in 375, 382, or 378 B.C.

The author also states (1) that Lysias was fifteen when he went to Thurii; (2) that he stayed there thirty years; (3) that before his death he saw Demosthenes as a *μειράκιον* [b. B.C. 384]; (4) that his father Cephalus was dead when he went to Thurii; (5) that Cephalus had originally settled at Athens on the invitation of Pericles.

Now Lampon led the colony to Thurii in the spring of B.C. 443. If Lysias was fifteen in 443, he was born in 458. But did he go to Thyrii at the first establishment of the colony? Blass and others have decided that he did not do so. On the other hand, the author of the *Lives* distinctly states that he did, and Dionysius as clearly implies it. The words of the latter are:—"When he was fifteen he went to Thurii with two brothers to share in the colony which the Athenians, in conjunction with the rest of Hellas,

were sending in the twelfth year before the Peloponnesian war." The use of the imperfect ἔσπελλον makes any other meaning of this sentence impossible.

If, however, he did not go then, we must reject the statement of his having stayed there thirty years, as there is no reasonable doubt of his having returned in 411.

But accepting the statement of his birth in 459-8, and the length of his life as about 83 years, the date of his death would be 375, when Demosthenes would be nine years old. The statements of our authorities then are at least consistent.

The opposite view consists in rejecting all these statements except (1) the death of Cephalus before Lysias' departure for Thurii, (2) the age of Lysias at that departure.

It is then argued that Cephalus would not have been attracted by Pericles until the latter became prominent—say about 460 B.C.; that living at Athens thirty years [Lys. Erat. 4] he must have died about 430; that if Lysias was fifteen then, the year of his birth was 445.

In confirmation of this view we have no ancient testimony except this. In Plato's *Republic* Cephalus is represented as still alive, though

in extreme old age, and it is supposed that the scene of the *Republic* is meant to be laid in B.C. 430. Assuming the truth of this supposition, it is still evident that a date depending on Plato's regard for historical probabilities in the grouping of a dialogue rests on a very insecure foundation; and when Professor Mahaffy (*Hist. of Gr. Lit.* ii. p. 141), assuming that Lysias died soon after 380, proceeds to say "he does not seem to have lived to an advanced age," he is stating the exact contrary of the only authorities we have, and of universal tradition. Nevertheless it may be a true statement; and if we put aside the authority of Dionysius and of the author of the *Lives of the Orators*, we have no certain data for a solution of the point.

II. As to the place of residence of Polemarchus.

I have said in p. xxx, "Both brothers lived in the Peiræus." Professor Jebb has said, "From *Erat.* § 16 it follows that Polemarchus lived in Athens," and a writer in the *Academy* has assumed this as an undoubted fact, and my statement to be a simple blunder.¹

¹ So also Blass *die Attische Beredsamkeit*, p. 338, 'sie besaßen drei Häuser, eins im Peiræus, wo Lysias, und ein anderes in der Stadt, wo Polemarchos wohnte, mit dem ersteren war eine Schildfabrik verbunden.

It certainly may have been the case that Polemarchus lived in Athens. But I think it unlikely, for it rarely happened that a metic did so [Xen. Vect. 1, 6], and it does not seem certain that the brothers were *Isoteles*, though Lysias himself became so after the restoration of the democracy. Again we know from Plato [Repub. 1, 328] that Polemarchus, at one time at any rate, possessed a house in the Peiraeus. Moreover, the wife of Polemarchus was in a house in the Peiraeus at the time of her husband's arrest [Erat. § 19]; nor does the passage relied upon from the Eratosthenes, § 16, appear on closer examination conclusive. Lysias says: "Arrived at the house of the shipmaster, Acheneos, I sent a messenger to the Asty to learn news of my brother. On his return he informed me that Eratosthenes had arrested him *in the street* [ἐν τῇ ὁδῷ] and taken him off to prison." If Eratosthenes had effected the arrest in his house the proof would have been conclusive; he did it, however, in the street [or, in the road from Athens to Peiraeus?], which gives no certain indication of his place of residence. Nor can we conclude anything from the fact of Lysias sending to the Asty for news of him. He was absent from home, probably doing business in Athens, and when he was once

arrested and put in prison tidings of him would be best learnt in the Asty itself.

These speeches have now been a fourth time revised, and the later emendations of various scholars, given in the ninth edition of Rauchenstein, and by A. Weidner (1888), considered and sometimes adopted. Some changes have also been made in the notes.

CAMBRIDGE, *February* 1890.

Some few corrections have again been made, chiefly in view of information contained in the lately-found treatise of Aristotle on the Athenian Constitution.

October 1892.

PREFACE.

THIS Edition of Sixteen of the Extant Speeches of Lysias is an attempt to restore to the list of Greek prose writers read in schools and colleges an author who has fallen into pretty general, and I think undeserved, neglect. For this neglect it is difficult to give satisfactory reasons. He writes excellent Greek; he is not hard; he is not (unless I am blinded by partiality for a companion of so many months) dull. He supplies us with many illustrations of Athenian life and manners, much information concerning Athenian law and Hellenic politics and history.

In making my selection I have been influenced by considerations of space. I have wished, however, to give all that was really valuable; and I have therefore rejected those Speeches the genuineness of which has been seriously doubted (except in the case of the Speech 'for the Soldier'); those, again, which were repetitions or epitomes of other speeches; and finally, I have chosen one out of two or more which

referred to the same or similar subjects. The result thus obtained has left, I hope, enough to enable any student to obtain a thorough acquaintance with our author; though I much regret that various considerations seemed to make it necessary to omit the ὑπὲρ Ἑρατοσθένους. In every case the entire speech, so far as we possess it, is given.

An Editor of a classical author has two points to deal with,—Text and Exposition.

The text of Lysias rests mainly on one MS.,
Text. preserved at Heidelberg, which is neither early nor good. It has, however, employed the acumen of a long list of scholars. Of the older I may mention *Canter*, *Markland*, *J. Taylor*, *Reiske*, *Dobree*: and of more recent, *Baiter* and *Sauppe* in the 'Oratores Attici'; *C. Scheibe* in the Teubner Series, from which this is printed; and *C. G. Cobet*, whose edition of 1863 and emendations, both in the *Tractate* of 1847 and the *Varice Lectiones* of 1873, I have carefully studied. *Madvig*, in the *Adversaria Critica* of 1871, has also propounded a few emendations. With the labours of such a company before him a modern editor has little to do but to pick and choose when there is diversity, sheltering himself from the

discredit of differing from one under the *Ægis* of another; generally, however, being careful to differ from Reiske, and never but with the utmost diffidence from Cobet. In a few places in the multitude of counsellors I have ventured to take a line of my own; but cases of great doubt are not unusually frequent, and on the whole the text may be said to be, considering the weakness of its MS. authority, in a fairly satisfactory condition.

Of commentaries upon Lysias there is no great abundance. No edition that I Exposition. am aware of has appeared in England since the *Variorum* of 1828, which contains the Latin notes of Taylor, Markland, Reiske, and others, the life by Taylor, and his *Lectiones*, and the *Adversaria* of Dobree. I have also used Dr. R. Rauchenstein's Selections, *Leipzig*, 1848, and J. H. Bremi's, *Gotha*, 1826. There is an English translation of some of the speeches by Dr. J. Gillies, *London*, 1778, which I have occasionally looked at; and a Selection of Four Speeches, with English notes, by Dr. J. M. Whiton of Boston, U.S.A., 1875. But practically the Commentary for good or ill is my own, and has all the advantages and disadvantages of being the first of its kind.

I must, however, acknowledge, as every English student of the *Attic Orators* must do, great and perpetual obligations to Professor Jebb. In a subject which he has treated with his usual brilliancy and thoroughness, any subsequent worker must continually refer to his authority. I have had constantly before me his *Attic Orators*, 1876, and have occasionally also consulted his notes in the selections from the *Orators*, 1880. The *Attic Orators* is an indispensable aid to an English student. I have also used constantly Mitchell's edition of Reiske's *Indices Græcitatæ in singulos Oratores Atticos*; and I would recommend to every student Mr. Hicks' recently published *Manual of Greek Inscriptions* as throwing much light on the history of the period. Such a work is a real boon to many to whom the *Corpus Inscriptionum* is unattainable or unusable.

Finally, I have to thank Mr. H. Broadbent, Fellow of Exeter College, Oxford, and Assistant Master at Eton, for much kind and valuable help in the correction of the proofs.

My object in the Commentary has been to bring before the student, as far as possible, the circumstances, social and historical, in which the Speeches were delivered; and at the same

time to direct his attention to an accurate study of the language. The *Indices* are arranged with the view to enable a student to find readily whatever information is to be found in the Notes on points of historical or grammatical criticism. The event which overshadowed or influenced the whole time of Lysias' active life in Athens during his second sojourn there was the eight months' Tyranny of the Thirty. I have therefore given a somewhat detailed account of it, drawn almost entirely from Xenophon and Lysias, in the Appendix.

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INTRODUCTION.

§ 1.—LIFE OF LYSIAS.¹

It seems to have been one of Pericles' ideas, as a means of realising his great conception of Athens as a centre and capital of Hellas, to attract to her men of wealth and character wherever he found them. "Men, not walls or ships of war, make a city,"² was a principle on which he knew how to act. The high reputation which he enjoyed made it possible for him to do much to accomplish his object. Among those whom he induced to remove to Athens was a certain Cephalus of Syracuse. He was a man of great

¹ For the facts of the life of Lysias, besides his own story in the *kar* 'Eπαρορθένους, we are indebted (1) to Dionysius of Halicarnassus (about the time of the Christian Era); (2) to the author of the *Lives of the Ten Orators*, attributed probably falsely to Plutarch. (Edit. by A. Westermann, 1833.) The work of the former is rather a dissertation on his style than a biography, a few lines only being devoted to the outline of his life. The latter is somewhat fuller in a biographical sense. An epitome of these lives is found in Suidas (11th cent. A.D.), and a dissertation on his style in Photius (9th cent. A.D.) There is a graphic description of one incident in his life in his own speech against Eratosthenes (*Orat. v.* of this edition), and a sketch of his father in Plato's *Republic*, and criticisms on his intellectual position in the *Phædrus*. There is a Latin life of him also by the English scholar, John Taylor.

² *Thucyd.* 8, 77, 7.

wealth,³ obtained very likely by the manufacture of arms, which in itself would be likely to be useful at Athens.⁴ He lived as a metic in the Peiræus, and appears to have attained a great age, and to have been remarkable for the grace with which he bore his years. A pleasant picture of family life is given in the opening scene of Plato's *Republic*, with the central figure of the old Cephalus sitting with his sacrificial wreath on his head, having just conducted or been present at a sacrifice in the αὐλή of his son Polemarchus' house at the Bendideia or festival of Bendis.⁵ It was a holiday in Peiræus, and his two other sons, Lysias and Euthydemus, were there to keep it with their aged father, and other guests from the Asty besides. Socrates was struck with the venerable appearance, the cheerfulness, and intellectual activity of Cephalus, and his expressions of surprise and admiration form the prelude to the Dialogue. We may gladly believe that the picture drawn by Plato is not wholly imaginary.⁶

Cephalus appears to have survived to about B.C. 443. Some fifteen years probably after his arrival in Athens, his son Lysias was born, in the year of Philocles (458-7 B.C.).⁷ His father's wealth made it natural for the boy to mix with the sons of the leading men of the city, and accordingly he attended the best schools in Athens till he was about fifteen

³ πλοῦτῳ διαφέροντα, *X Or.* διὰ τὸ πολλὴν οὐσίαν κεκτηῖσθαι, *Plat. Rep.* 330.

⁴ Another account stated that he was banished from Syracuse on the usurpation of Gelo. But this (B.C. 491-478) is too early. From v. l. 28 we learn that he lived thirty years at Athens; he must therefore have come about B.C. 473.

⁵ A Thracian goddess identified with Artemis. Hence the sacred enclosure round the temple of Artemis in Munychia was called the Bendideion.

⁶ Plato, *Repub.* i. 328.

⁷ *X Or.*, 320 C. For a discussion of another view as to these dates, see Preface to Second Edition.

years old (B.C. 444-3). His father being now dead, and he being no doubt under the guardianship of his elder brother, Polemarchus,⁸ the latter seems to have been induced to join a party of colonists who were going out, with great expectations of land and wealth, to settle in the territory of Sybaris, and to found a new town on its ruins, to be called Thurii. To Italy, therefore, Lysias accompanied his brother, but seems at first to have devoted himself to the completion of his education under the Syracusan sophists, Tisias and Nicias.⁹

When this was done he obtained a house and an allotment of land at Thurii, and there the next thirty years of his life were spent. Of his life there we know nothing, but we may gather that he took an active part in the politics of the new colony,¹⁰ which presents an interesting picture of the vicissitudes of an Hellenic settlement.

Sybaris, a town of which the wealth and luxury have passed into a proverb, was destroyed by the Crotonians in B.C. 510. Some fifty-seven years later (B.C. 452) an attempt was made to restore it, which was frustrated by the interference of Croton.¹¹ The inhabitants appealed to various Hellenic States for aid. The prime mover in answering the application was Pericles, who persuaded many able men, among them the

⁸ *In vit. X Or.* his younger brothers are called Eudidus and Brachyllus. The former should be changed to Euthydemus. See *Plat. Rep. l. c.* The latter Blass infers from [*Dem.*] *Næær.*, § 22, to have been brother-in-law to Lysias. It is not a very certain, though probable, inference.

⁹ *X Or.*, 321 D. The name Nicias is not known, and has been supposed to have crept into the text as a corruption (*ditto-graphy*) of Tisias. Perhaps we should read Corax.

¹⁰ *Dr. Thompson's* Introduction to the *Phædrus*, p. xxviii.

¹¹ The inhabitants removed to Laus and Scidrus, and there remained. It was their children and grandchildren that attempted the Restoration.—*Her. vi. 21.*

historian Herodotus, to take part in the colony.¹² The Athenian contingent was led by Lampon, and started in ten ships. Notice at the same time was sent to various cities of the Peloponnesus. An oracle of Apollo was obtained, ordering them to found a city where they should "drink water from a measure and eat barley-cake without measure;" and the Peloponnesians having met the Athenians at Sybaris, they made a joint search for the place. They supposed themselves to have found it near a fountain, *Thyria*, which had a metal pipe which the country folk called a *medimnus*.¹³ Here, accordingly, in conjunction with the Sybarites, they commenced building their city. It was laid out in a peculiarly regular manner, with four broad streets running parallel to each other, crossed by three diagonal streets. There seem to have been difficulties from the first. To begin with, the Sybarites claimed annoying privileges over the new-comers. They claimed the chief offices; precedence for their women in religious ceremonies; and the possession of land allotments nearest the town. This led to bloody intestine quarrels, which ended, if we may trust Diodorus, in the almost entire extermination of the old Sybarite people, and the consequent enrolment of fresh colonists from all parts of Hellas, who were to be on an equal footing with the older settlers. The colony rose in wealth with

¹² B.C. 448 in the spring. See Rawlinson's *Herod.*, vol. i. p. 19, note. Diodorus (xii. 9) makes it occur in B.C. 446.

¹³ Diodor. xii. 9. These consultations and interpretations of oracles are doubtless due to Lampon, who was a *mantis*; see *Plut. Per.* 6: and *Arist. Av.* 521, where the Scholiast explains that he was *χρησµβολογος καὶ µάντις*, hence the disrespectful mention of *θουριόµάντις* in *Nub.* 332. An anecdote, which seems to show that Pericles had no high opinion of him, is quoted in *Aristot. Rhet.* 3, 18. Diodorus mentions Lampon and Xenocritus as joint founders. *Plut. (Nic.)* 5 says that the leader was Hieron.

astonishing rapidity, made terms with Croton,—the old enemy of Sybaris,—and established a democratical form of government after the model, it is said, of Charondas of Catana, whom Diodorus wrongly assumes to have personally superintended the business, but who appears to have lived at least 160 years earlier.¹⁴ But the seeds of discord were even then germinating, and the new settlers soon quarrelled with each other, as bitterly as they had done with the original Sybarites. Part of the constitutional arrangements had been the division of the citizens into ten tribes, not according to their place of residence, but to their nations. Thus three were made up of all those who came from the Peloponnesus; three of the more northern Dorian States, as their names imply, Bœotia, Amphictuon, Doris. The other four were Ionic—Ias, Athenais, Eubois, Nesiotis.¹⁵ The names sufficiently indicate that the old distinction of Ionian and Dorian, such a fruitful source of discord in Hellas, was maintained in the colony. With this distinction came also the rival theories of government, the oligarchic and the democratic. This opposition was brought into prominence some thirty years later by the presence of an Athenian fleet blockading the harbour of the Dorian Syracuse, and the subsequent arrival of a squadron of relief from Sparta.

So long as the contest at Syracuse was undecided, the political state of Thurii remained outwardly unchanged, the favourers of democracy being as yet able to retain their position. But that the other

¹⁴ Bentley (Phalaris, 364-5) shows that the Thurian constitution was founded on the laws, not of Charondas, but probably of Zaleucus. See also Rawlinson, *Her. i. p. 19, note.*

¹⁵ *Diod. xii, 10, Rawlinson's Herod. vol. i. p. 19, note.*

party was possessed of considerable influence was shown by the fact that it was at Thurii that Alcibiades, and those recalled to Athens with him, managed to effect their escape, no doubt by the connivance of the anti-Attic party; Alcibiades himself lying in concealment there for a short time before crossing to the Peloponnesus.¹⁶

The Oligarchic party, however, were for a time worsted, and in B.C. 413 banished. Demosthenes, when bringing over the second fleet, found on his arrival in Italy that this *coup d'état* had just been completed, and was able to use Thurii as a base of operations while negotiating with the other Italian towns,¹⁷ and obtained from it a contingent of 700 hoplites and 300 javelin men.¹⁸ Finally, Dionysius says that, the failure of the Athenian expedition to Syracuse becoming undoubted, the Oligarchic party returned. There was a revolution, and the leaders of the Democratic party were in their turn banished. Among these was Lysias, who thereupon returned to Athens, where, with a short interruption, he remained for the rest of his life.¹⁹

He arrived in Athens in the year of Callias (B.C. 412-11); he had left it in the year of Praxiteles (B.C. 444-3). The thirty-two years of his absence had been momentous ones in the fortunes of Athens. He had left the city in the height of her power. Signs of discontent at her supremacy had indeed not been wanting. Boeotia had thrown off the yoke (B.C. 447). The Spartans had invaded the Attic

¹⁶ *Thucyd.* vi. 61, 6-7.

¹⁷ *Thucyd.* vii. 33, 4-5, καὶ καταλαμβάνουσι νεωστὶ στάσει τοὺς τῶν Ἀθηναίων ἐναντίους ἐκπεπρωκότας. Demosthenes had probably heard of the state of things, for he made almost direct for Thurii.

¹⁸ *Thucyd.* vii. 35.

¹⁹ *Dionys. Vit. Lys.*, cp. X Or. 'Lysias.'

soil ; and Samos had revolted (B.C. 445). But the former danger had been averted by the diplomacy of Pericles, and the rebellious Samians had been reduced by his promptitude : Athens was still the leading state in Hellas. But in the interval of his absence the Peloponnesian war had dragged its slow length along ; and though there had been reverses on both sides, it was now growing evident that Athens must fall. Her territory had been repeatedly ravaged ; war, plague, and revolting subjects, had thinned the number of her citizens and drained her exchequer. For many miles round the city the traces of the war must have been miserably apparent in ruined homesteads, vineyards and olive groves burnt or cut down. The soil was bare and hardened by the constant tramp of cavalry ; the farms and olive presses were deserted and ruinous.²⁰ The enemy were in constant occupation of Decelea.

Inside the city, however, there were no signs of decay ; the docks and fortifications of the Peiræus were intact ; the long walls and the city walls still seemed to promise safety and perpetuity to the State. The harbour was thronged with corn ships* ; the theatre was crowded at the great festivals ; the law courts were busy ; the supreme ecclesia, however negligently attended on ordinary occasions, was thronged with excited citizens when any grave matter was pending, and still passed haughty and imperious decrees. There had been, too, in these thirty-two years, an extraordinary outburst of literary activity. In them the masterpieces of Herodotus and of Sophocles, Euripides, and Aristophanes, had been produced, and many other works which are now lost

²⁰ See *Lysias, Orat. ii.* [7] § 7-8 ; cp. *Thucyd.* 7, 27, 5, ἡ πόλις ἀπεχλωλύντο ἐν γῇ ἀποκρότῳ.

* *Xen. Hell.* 1, 1, 35.

to us. Some of the most famous sophists of the day had visited Athens and gathered round them an eager crowd of listeners. Socrates, amidst fame and obloquy, had been stimulating the youth of the city by an influence which, if not literary, was the cause of literature; and the young Plato, in his eighteenth year when Lysias returned, was learning from the lips of his master lessons which his transcendent powers were destined to mould into world-wide influences. We cannot doubt that Lysias, though absent from Athens, had shared to the full in the intellectual feast which she had been preparing for the world; and that he must have looked upon a return to her as to the metropolis of literature and philosophy,²¹ — glad to escape from the vexations of provincial politics and the narrowness of provincial life.

Politics at Athens, however, were as unsettled as those he left at Thurii. When he arrived the Four Hundred were enjoying their brief supremacy. But there does not seem to have been any danger to a metic, who had no share in politics, and who did not even reside in the Asty. His elder brother, Polemarchus, either accompanied him, or more probably had preceded him in his return. The two brothers resided in the Peiræus,* and conducted together a manufactory of armour, and appear to have been possessed of considerable wealth. The circumstances of the time would be likely to make their business a profitable one, and the public events of their seven years' residence there do not seem to have interfered with their quiet prosperity. The Spartans might be

²¹ So *Pericles* calls Athens τῆς Ἑλλάδος παίδευσις, *Thucyd.* 2, 41, 1: and *Isocrates* says of her that τὸ τῶν Ἑλλήνων ὄνομα πεποίηκε μηκέτι τοῦ γένους ἀλλὰ τῆς διανοίας δοκεῖν εἶναι. *Panegy.* § 51.

* See *Preface to Second Edition.*

beaten at Cyzicus, or the Athenians at Notium; generals might be impeached for misconduct at Arginusæ; Alcibiades be welcomed with chaplets and hymns, or be deposed from his command amidst popular execrations;—in any case the armourer would be driving a good trade, and the metic's tax was a light evil compared to the dangers of citizens in these troublous times.²²

But evil days were coming upon them. The disaster at Ægospotami (405 B.C.) was followed by the starving out of the city and its surrender to Lysander, by the overthrow of the constitution and the setting up of the Thirty (404 B.C.) The year of anarchy (year of Pythodorus 404-3) was a terrible one for many. Still an unoffending and industrious metic, meddling not at all in politics, might hope to be unmolested by anything worse than increased public burdens. But the Thirty were in dire want of money, and in an evil moment two of their number suggested that there were many metics, unprotected by the new constitution, residing in Athens and the Peiræus, who possessed great wealth, and might plausibly be represented as disaffected to the Government. Let them be arrested and put to death on the charge of disaffection, and their wealth be confiscated to the State. This suggestion, in spite of the protest of Theramenes, which cost him his life, was eagerly adopted. Ten were to be first selected, not all rich, lest the object of the tyrants should be too apparent.²³ In the first fatal list were the names

²² *Lysias* does not seem to have engaged in any active service, as metics in times of difficulty occasionally did. A man of his name is mentioned as in command of ships in B.C. 406, *Xen. Hell.* 1, 6, 30, and as one of the six generals executed after *Arginusæ*, *id.* 1, 7, 2.

²³ *Xen. Hell.* 2, 3, 21. *Lysias*, *vi.* l. 48.

of Lysias and his brother Polemarchus. What followed we know from his own indignant narrative.

The party of the Tyrants to whom the task fell came with their attendants suddenly to Lysias' house. He, in complete unconsciousness, was entertaining a party of guests, who fled precipitately, leaving Lysias in the hands of the Tyrants. He was committed to the charge of Peison, while the others went to the workshop and took an inventory of the slaves working in it. Lysias was at once fully aware of the desperate nature of his danger and the only means of averting it. He offered Peison a talent to let him go. Peison consented, but followed him when he went to his money chest, and finding there a considerably larger sum, took the whole, but seems to have meant to carry out his bargain as to letting Lysias slip. But as they were leaving the house they met two others of the Thirty, to whom Peison explained that he was on his way to the house of Polemarchus. These two offered to take charge of Lysias, which Peison was afraid to decline. He was accordingly taken for custody to the house of Damnippus, where others arrested in a similar manner were being guarded. Damnippus was a personal friend, and by his connivance Lysias took advantage of a back door, and escaped to the house of a ship captain, Archeneos, where he might be sure of securing some passage. Here he lay hid till he had ascertained that Polemarchus had been arrested and put in prison, and that night he effected his escape to Megara.²⁴

Here he appears to have remained quietly for some months, and though his property in the Peiræus had been seized, he seems to have still possessed

²⁴ *Lysias*, v. ll. 40-111.

some means, perhaps from money invested in foreign towns, or goods warehoused abroad. For no sooner had the expedition of Thrasybulus to Phylè (Sept. 404 B.C.) given the Democrats new hopes, than he threw himself into their cause with energy, and supported it with liberality. He supplied Thrasybulus with 2000 drachmæ, and persuaded his friend Thrasydæus of Elis, always an opponent of Sparta [Xen. Hell. 3, 2, 2], to give or lend two talents. He supplied 200 shields, and in conjunction with Hermon raised over 300 men.²⁵

Accordingly, when the party of Thrasybulus was triumphant and in possession of Athens, a decree was passed by the ecclesia, on the proposition of Thrasybulus, conferring on him the full Athenian citizenship. The first use which he made of his new privileges was to impeach Eratosthenes, one of the two tyrants who remained in the city, for the murder of his brother Polemarchus. The tyrants had been expressly exempted from the amnesty made between the party of Thrasybulus and the party of the city; but Lysias, if he ever really delivered his speech, seems to have been unsuccessful in obtaining his condemnation, and he himself soon lost the power of conducting an impeachment, which could only be done by a citizen. His enfranchisement had been passed at the end of the so-called year of anarchy, and had not had the previous sanction of the senate, which had not as yet been properly appointed; and when the ordinary constitution was re-established with the beginning of the year of Euclides (*i.e.* Midsummer 403 B.C.), one Archinus brought in a γράφη

²⁵ *Vit. X Or. 835.* Prof. Mahaffy seems to regard this passage as taken from Lysias' own speech περί τῶν ἰδίων εὐεργεσιῶν, *Hist. Gr. Lit.* 1, p. 140. It may be so.

παράνομων against Thrasybulus, and the decree was quashed.²⁶ Lysias thenceforward had to be content with the status of an Isoteles, the highest grade to which a naturalised resident could attain, and differing from that of a full citizen probably in little except the right of holding offices, of speaking and voting in the ecclesia, and therefore of acting as prosecutor in impeachments.²⁷

But the reputation obtained by his speech delivered against Eratosthenes seems to have put in his way a new means of acquiring wealth—namely, by the exercise of the profession of speech-writer. If the *Phædrus* of Plato is not wholly dramatic, he appears, in the interval of his residence at Athens before the Revolution, to have acquired some reputation for his compositions, and a supposed essay by him on love forms the text of that dialogue. But his inclination for philosophy or sophistic writings must now be considered as superseded by the more practical and remunerative pursuit.²⁸ In this his activity must have been very great. The Pseudo-Plutarch asserts that as many as 425 speeches had been attributed to him, of which Dionysius admitted 230 as genuine. It is evident, at any rate, from the quotations of Harpocration, that we have but a small fragment of the work left by him.²⁹ He died in B.C. 378, thus

²⁶ *Archinus seems to have made several such charges against Thrasybulus, who, no doubt, in the then unsettled state of things, must have more than once laid himself open to the charge. See Æschines, c. Ctes., § 195. The irregularity in this case was that the decree was an ἀπροβούλευτον ψήφισμα.*

²⁷ Boeckh, pp. 540, 541. Hermann, *Pol. Ant.* § 116.

²⁸ "There is no doubt that some discredit attached to this profession of a λογογράφος, at least sufficient to deter a man of wealth and good connections from engaging in it."—Dr. Thompson, *Phædrus, Intro.*, p. xxvii.

²⁹ See Appendix iv. Harpocration quotes from some ninety speeches attributed to Lysias.

reaching the age of fourscore. Of the twenty-five last years of his life, beyond the fact that they were busily employed in his new profession, we know little or nothing. The Pseudo-Plutarch tells us that he married his niece, the daughter of Brachyllus,³⁰ a connection legal at Athens [see Orat. xvi.]; and there seems to be the ghost of some scandal as to his connection with an hetæra, called by the Pseudo-Demosthenes (c. Neæram, 1351) Metaneira, and by Athenæus Lagis.³¹ On the strength of a passage in one of his speeches (de pecun. Arist. § 19) he has been credited with a joint mission to Dionysius of Syracuse, but his name has probably no right to appear in the text. We cannot doubt, however, that he must have been somewhat more than a mere spectator of the events which from 394 B.C. to the time of his death gradually raised Athens from her degradation to something like her old power on the seas. Nor, while engaged in the calling of a speech-writer, does he seem to have forsaken the philosophical studies and friendships of earlier times, for he is said to have composed a defence of Socrates. That his earlier writings had attracted great attention is shown by Plato, who puts into the mouth of Phædrus the description of him as *δεινότατος τῶν νῦν γράφειν*, while lamenting his turning from the lofty pursuit of philosophy to that of the professional speech-writer: in which passage Plato no doubt puts into the mouth of a contemporary the criticism of a later date.

§ 2.—WORKS.

The Pseudo-Plutarch mentions three classes of writings left by Lysias:—

³⁰ See note 8.

³¹ *Athenæus*, xvii. 592 l.

(1.) Public speeches, *i.e.* speeches delivered, or meant to be delivered, in his own person before the ecclesia. Of these he mentions two—(1) A defence of his citizenship against the decree of Archinus.³² (2) A speech against the Thirty, by which he seems to mean the *κατ' Ἐρατοσθενοῦς*. The short time during which Lysias enjoyed, if he may be said to have ever enjoyed, full citizenship accounts for the small number of these speeches.

(2.) Speeches written for others in public or in private causes. It was in these that Lysias enjoyed the greatest success and reputation, having only twice, it is said, lost a case. It is not possible to decide even approximately their number. Probably many of those which he composed survived their delivery a very short time. When in subsequent times collections were made of his speeches, many were attributed to him which he did not compose.

As we have seen, of the 425 assigned to him, more than half were rejected by Dionysius. Of this half only thirty-four have survived to our time, and of them no inconsiderable proportion are ousted from their place of honour by modern criticism.

(3.) Besides these he composed rhetorical treatises, public addresses, letters, panegyrics, funeral orations, erotics. A specimen of a funeral speech appears as Or. ii. in editions of his works, but its genuineness is denied. Of erotics, the speech in the *Phædrus* (Plato, *Phædr.* 230-236) may perhaps be a genuine production of his, or a close imitation of some of his compositions.

³² *Perhaps the lost speech περὶ τῶν ἰδίων εὐεργεσιῶν.*

§ 3.—THE STYLE OF LYSIAS.

There are two points of view from which we may regard a writer's style, the historical and the critical.

As to the first, the interest attaching to the writings of Lysias arises from the consideration of the place he holds in the development of Attic prose. The treatises of the old philosophers, the history of Herodotus, though read and admired at Athens, were in a foreign dialect. Thucydides, with all his splendour, betrays the awkwardness of a man using a tool not yet thoroughly adapted to the work it is to do.³³ But Attic life had developed with marvellous rapidity in the fifth century B.C., and with this enlarged life came constant and pressing needs for the artistic and trained use of language. Every day brought some occasion for clear or persuasive statements. The demand created the supply. What Lysias did hundreds did also. Composition ceased to be an affair for the few; it was the daily need of the many. It is in such circumstances that really great work is produced; and from the multitude of mediocre or passable workmen the genius will surely emerge. The peculiar needs of the time irresistibly moulded the language used. The audience to be persuaded was a mixed one. Before all things, a man to be successful must be intelligible to persons of ordinary intelligence. If he indulged in long digressions he would weary. If he used high-flown language he would be laughed at. If he contradicted himself, if he told his story ill, if he confused names and dates and facts, he would miss the objects of his speech—

³³ For an opposite view as to the style of Thucydides, see Mahaffy, *Hist. of Gr. Lit.* ii. pp. 110-111.

persuasion and conviction. The audience, however, which he addressed, though a mixed one, had been long accustomed to listen to the oratory of the Tragedians; they had learnt to admire the gorgeous word-painting of Æschylus, the pure taste of Sophocles, the simplicity and pathos of Euripides. They would, therefore, be easily disgusted at language too bald, at a style showing lack of ear for rhythm or culture, at dulness and absence of emotion.

The critical view of Lysias' style will show how far he answered to these demands.

We may notice, then, that he conspicuously tells a story well. His facts are well arranged, their connection clearly shown, and their significance not left doubtful. The language in which he tells it is simple without being vulgar, and clear without being bald or inartistic. The meaning is generally to be caught at a glance. Very rarely in him are found long or involved sentences, words used in a recondite sense, or words employed at all not in common use among all educated persons of his time. And though his object is nearly always to tell a simple story simply, he is saved from being dull,—first by his dramatic faculty, by which he managed to adapt the speech which he wrote to the character of the person who delivered it, of which the speeches “for Mantitheus” and “for the Cripple” are good instances; and secondly, by his power of occasionally rising above the placid stream of his narrative or argument to real passion. Of this his denunciations of the Thirty in the Eratosthenes may serve as one instance, and the account of the interview of the mother of the orphans with her father, in the last speech in this edition, as another and very striking one.

Among ancient writers on oratory a very high

place has always been assigned to Lysias. The qualities which they admired in him were his simplicity and purity of style, his power of clear statement, and freedom from superfluous ornamentation.

Cicero calls him *disertissimus*, and selects as his distinctive merit *subtilitas*. He is *subtilis, elegans, prope orator perfectus*, Demosthenes being the standard of absolute perfection. And though he attained to such refinement of style and such subtilty and almost cunning in seeing and stating his points, he had also nervous strength and force (*lacerti*). He is *venustissimus* and *politissimus*, though generally not *amplus* or *grandis*. This, however, was from deliberate purpose, as the causes he usually pleaded required the former qualities rather than the latter.³⁴

Cicero, B.C. 104-43.

Dionysius has left us an elaborate criticism of Lysias' style. He selects as his points of praise: (1) his lucidity and the purity of his Attic; ³⁵ (2) the homeliness and simplicity of his language, while he yet contrives to dignify his subject. This he contrasts with the vulgarity and extravagance (*φορτικὴν καὶ ὑπέρογκον κατασκευὴν*) of Gorgias; ³⁶ (3) his clearness of statement as well as language; ³⁷ (4) his condensed and terse style; ³⁸ (5) his graphic power—the power, that is, of conveying clear ideas to others; ³⁹ (6) his

Dionysius of Halicarnassus, circ. A.D. 18.

³⁴ *Cicero de Orat.* 118; *ib.* 316; *Brut.* 17; *ib.* 31; *Orat.* 15; *ib.* 16; *de opt. gen. Or.* 3.

³⁵ *Vit. Lys.*, καθαρὸς ἦν ἐρμηνεῖαν καὶ τῆς Ἀττικῆς γλώττης ἀριστος κανὼν.

³⁶ *ib.* διὰ τῶν κυρίων τε καὶ κοινῶν καὶ ἐν μέσῳ κειμένων ὀνομάτων κτλ.

³⁷ *ib.* σαφήνεια . . . οὐ μόνον ἐν τοῖς ὀνόμασι ἀλλὰ καὶ ἐν τοῖς πράγμασι.

³⁸ *ib.* ἡ συστρέφουσα τὰ νοήματα καὶ στρογγύλως ἐκφέρουσα λέξις.

³⁹ *ib.* δυνάμεις τις ὑπὸ τὰς αἰσθήσεις ἀγνοῦσα τὰ λεγόμενα.

dramatic faculty (*ῥηθοποιία*), or power of suiting words and sentiments to the individuals for whom the speeches are composed ;⁴⁰ (7) his power of adapting his style to the subject and the hearers, and to the necessities of the case, adopting, for instance, quite different styles for the law court, the ecclesia, and the national assembly (*πανήγυρις*). Thus, too, in the various parts of a speech he varies his style. In the *exordium* it is quiet and didactic (*καθεστηκυῖα καὶ ῥηθικῇ*) ; in the *narrative* convincing and concise (*πιθανὴ καὶ ἀπερίεργος*) ; in the *demonstration* terse and condensed (*στρογγύλη καὶ πυκνῇ*) ; when he enlarges and appeals to the emotions (*παθαινομένῳ*) it is solemn and genuine (*σεμνὴ καὶ ἀληθινῇ*) ; in his summing up it is analytic and brief.⁴¹ (8) Besides these there is that indefinable and nameless something, which, like the bloom of personal beauty, harmony in music, or felicity in poetry, cannot be easily or exactly expressed, but may perhaps be partially represented by the word "charm" or "grace" (*χάρις*).

Quintilian speaks of his dramatic faculty, his simplicity and freedom from affectation, his
Quintilian, A.D. 42-118. easy and elegant style, his gracefulness and model Attic.⁴²

⁴⁰ *Vit. Lys.*, τὰ προσήκοντα ἐκάστοις ἀποδοῦναι πάθῃ τε καὶ ἔργῳ. For examples of this see especially *Orations viii. and xiii.*

⁴¹ The last two sections are embraced in the peroratio. The four parts of a speech are thus taken, viz. the *exordium*, *narratio*, *demonstratio*, *peroratio*. By calling his style in his summing up "analytic" (*διαλελυμένη*), he seems to refer to his distinct separation of the various heads of his argument in a recapitulation. For a good specimen see *Or. ii. [7] § 42-3.*

⁴² *Quint. iii. 8 ; ix. 4 ; x. 1 ; xii. 10.* He, however, seems to think him wanting in greatness, *puro tamen fonti quam magno flumini propior.*

Gellius quotes Favorinus as saying that no word can be taken from Plato without injury A. Gellius, circ. A.D. 140. to his literary perfection, none from Lysias without injury to his meaning.⁴³

The upshot of these criticisms seems to be that Lysias is to be regarded as furnishing a model of correct language, and as being the type of a business-like speaker, who kept steadily in view as his first object that he should enlighten and convince his hearers, and this without loss of literary grace or general interest. Many critics, Plutarch tells us, were fond of comparing the style of the elder Cato with that of Lysias.⁴⁴ Plutarch himself dissents from the judgment; but that it should have been formed at all is an illustration of the impression made generally on readers by Lysias.

§ 4.—VALUE OF LYSIAS AS ILLUSTRATING ATHENIAN LIFE AND HISTORY.

Lysias, as a model of style, and as illustrating a special phase in the development of Greek prose writing, has thus much interest. But there is another kind of interest in his work. The subjects with which he has to deal were closely connected, either with historical events or with the everyday life of his time. In the case of historical events his contribution to our knowledge possesses the advantages which contemporary *allusions* must ever have over formal history. And in the matter of the illustration of common life we feel that he deals with his topics

⁴³ *A. Gellius, Noctes, 2, 5.*

⁴⁴ *Plutarch, Cato, vii. Cf. Cicero, Brutus, 16, 63, sed ille Græcus ab omni laude felicior. Though he acknowledges nonnulla similitudo between them.*

without exaggeration or ulterior design. Accordingly, in reading his speeches, we catch many clear glimpses of Athenian life and habits, of Hellenic politics and sentiment, worth a good many pages of Xenophon and whole books of Diodorus. We shall find illustrated the cheapness of Athenian life⁴⁵ to remind us of Pericles' boast φιλοκαλοῦμεν μετ' εὐτελείας. We shall learn the prices of provisions, of land and houses, of animals and tombs.⁴⁶ We shall hear of the simplicity of their houses and furniture;⁴⁷ of the sacredness of the duty of performing funeral rites;⁴⁸ of the mourning robes of their women;⁴⁹ of the duties of children to parents; of the father, brother, or guardian, to daughters, sisters, or wards.⁵⁰ We may see the Athenian citizen in his daily lounge in the Agora, or hanging about the law courts on the chance of some amusing scene or speech.⁵¹ We may go on the Corn Exchange and watch the brokers trying to evade the law, and eagerly catching at or spreading rumours that may lower or raise the price of their goods.⁵² Or we may stroll into the barbers' or perfumers' shops, or the banker's stall, and listen to the gossip of the town, and in some secret chamber see some young spendthrift stake his last drachma on the fall of the dice.⁵³ Penetrating deeper into social relations, we get light upon the connection of master and slave; the discredit of the position of the latter even when emancipated; the difficulties of escape, or in proving an emancipation once obtained.⁵⁴ We have a picture of the vicissitude of landownership in Attica,⁵⁵ of an elementary "poor law,"⁵⁶ of the

⁴⁵ *xvi.* 165, 245.⁴⁶ *xvi.* 165, 171, 176.⁴⁷ *x.* l. 200.⁴⁸ *v.* l. 680; *vi.* l. 311; *x.* l. 41; *xvi.* 60.⁴⁹ *vi.* l. 276.⁵⁰ *vi.* l. 313; *x.* l. 404.⁵¹ *iv.* l. 70; *x.* l. 65.⁵² *xi.* § 14-15.⁵³ *iii.* l. 29; *xii.* l. 15; *xiii.* l. 147.⁵⁴ See *Index I.* "Slaves."⁵⁵ *ii.* § 4-8.⁵⁶ *Or. xiii.*

rush of all the neighbours to help themselves from the abandoned house on a confiscated estate.⁵⁷ In Hellenic politics we have vividly illustrated the endless shifts and turns of public feeling; the rapid combinations of States, and their as rapid dissolution; and especially the importance of the part played by individual enterprise and speculation in the various expeditions and wars which arose from time to time between the Hellenic States.⁵⁸ Nor is it a small contribution which Lysias makes to the fulness of our understanding of an interesting period of the history of Athens; that, namely, from her fall in B.C. 405 to her partial revival in B.C. 394-390; nor to our power of rightly appreciating the career and character of some of her most eminent citizens—Alcibiades, Theramenes, Conon, Thrasybulus.

⁵⁷ *x. § 31.*

⁵⁸ *See the cases of Alcibiades, Conon, and Thrasybulus, and especially the account of the last expedition of Thrasybulus in Or. xiv. [28].*

ORATION I. [5.]

FOR THE DEFENDANT, KALLIAS, ON A CHARGE OF SACRILEGE.

§ 1. *What induces me to speak in Kallias' defence is, 1st, my personal friendship for him; 2dly, his excellent character; 3dly, the public advantage involved in the security of those who lead innocent lives.*

Εἰ μὲν περὶ ἄλλου τινὸς ἢ τοῦ σώματος,
ὧ ἄνδρες δικασταί, Καλλίας ἡγωνίζετο, ἐξήρκει
ἂν μοι καὶ τὰ παρὰ τῶν ἄλλων εἰρημένα· νῦν
δέ μοι δοκεῖ αἰσχρὸν εἶναι, κελεύοντος¹ καὶ
δεομένου, καὶ φίλου οὗτος καὶ ἐμοὶ καὶ ἕως ἔξῃ 5
τῷ πατρί, καὶ πολλῶν συμβολαίων ἡμῖν ἑπὶ
ἀλλήλους γεγενημένων, μὴ βοηθῆσαι Καλλίᾳ τὰ
2 δίκαια, ὅπως ἂν δύνωμαι. ἐνόμιζον μὲν οὖν
οὕτω μετοικεῖν αὐτὸν ἐν ταύτῃ τῇ πόλει, ὥστε
πολὺ πρότερον ἀγαθοῦ τινος τεύξεσθαι παρ' 10
ὑμῶν ἢ ἐπὶ τοιαύταις αἰτίαις εἰς τοσοῦτον κίν-
δυνον καταστήσεσθαι· νῦν δὲ οἱ ἐπιβουλευόντες
οὐχ ἡττον ἐπικίνδυνον ποιοῦσι τὸν βίον τοῖς

¹ *Scheibe*, ἱκετεύοντος ex conj. *Hirschig*. Sed verbum intentius precantis verbum levius sequi debet.

μηδὲν ἀδικοῦσιν ἢ τοῖς πολλῶν κακῶν αἰτίοις
15 οὔσιν.

§ 2. *The evidence against Kallias is that of his slaves. This is most untrustworthy; for they have the chance of gaining their freedom if they are believed, and nothing to lose if they are disbelieved. An evil precedent will be set, if slaves see that they can gain by accusing their masters,—and one that equally affects us all, as owners of slaves.*

Ἵμᾶς δὲ ἄξιον μὴ τοὺς μὲν τῶν θεραπόν- 3
των λόγους πιστοὺς νομίζειν, τοὺς δὲ τούτων
ἀπίστους, ἐνθυμουμένους ὅτι Καλλία μὲν οὐδεὶς
πώποτε οὔτ' ἰδιώτης ἐνεκάλεσεν οὔτε ἄρχων,
20 οἰκῶν δ' ἐν ταύτῃ τῇ πόλει πολλὰ μὲν ἀγαθὰ
ὑμᾶς ἐποίησεν, οὐδεμίαν δὲ σχὼν αἰτίαν εἰς τοῦτο
τῆς ἡλικίας ἀφίκται, οὔτοι δὲ ἐν ἅπαντι τῷ βίῳ
μεγάλα ἡμαρτηκότες καὶ πολλῶν κακῶν πεπειρά-
μένοι, ὥσπερ ἀγαθοῦ τινος αἰτίοι γεγεννημένοι
25 περὶ ἐλευθερίας νυνὶ ποιοῦνται τοὺς λόγους. καὶ
οὐ θαυμάζω· ἴσασι γὰρ ὅτι, ἂν ψευδόμενοι 4
ἐλεγχθῶσιν, οὐδὲν μείζον τῶν ὑπαρχόντων πείσονται,
ἐὰν δὲ ὑμᾶς ἐξαπατήσωσι, τῶν παρόντων
κακῶν ἔσονται ἀπηλλαγμένοι. καίτοι τοὺς
30 τοιούτους οὔτε κατηγοροὺς οὔτε μάρτυρας πιστοὺς
χρὴ νομίζειν εἶναι, οὔτινες αὐτοὶ μεγάλα κερ-
δαίνοντες περὶ ἐτέρων ποιοῦνται τοὺς λόγους,
ἀλλὰ πολὺ μᾶλλον ὅσοι τῷ δημοσίῳ βοηθοῦντές
εἰς κινδύνους σφᾶς αὐτοὺς καθιστᾶσιν. ἄξιον 5
35 δέ μοι δοκεῖ εἶναι οὐ τούτων ἴδιον ἡγεῖσθαι τὸν
ἀγῶνα, ἀλλὰ κοινὸν ἀπάντων τῶν ἐν τῇ πόλει.

οὐ γὰρ τούτοις μόνοις εἰσὶ θεράποντες, ἀλλὰ καὶ τοῖς ἄλλοις ἅπασιν, οἱ πρὸς τὴν τούτων τύχην ἀποβλέποντες οὐκέτι σκέψονται ὅ τι ἂν² ἀγαθὸν εἰργασμένοι τοὺς δεσπότας ἐλεύθεροι γένοιοντο, 40 ἀλλ' ὅ τι ψεῦδος περὶ αὐτῶν μηνύσαντες.

ORATION II. [7.]

FOR THE DEFENCE. ON A CHARGE OF REMOVING
A FENCED-IN OLIVE STUMP. BEFORE THE
COURT OF THE AREOPAGUS.

§ 1. *My opponents have pursued a system of persecution towards me. They first tried to charge me with cutting down a sacred olive on my vineyard, and finding that they could not establish that, they trumped up the charge of cutting a fenced-in olive stump (σηκός).*

Πρότερον μὲν, ὦ βουλή, ἐνόμιζον ἐξεῖναι τῷ βουλομένῳ, ἡσυχίαν ἄγοντι, μήτε δίκας ἔχειν μήτε πράγματα· νυνὶ δὲ οὕτως ἀπροσδοκῆτοις αἰτίαις καὶ πονηροῖς συκοφάνταις³ περιπέπτωκα, ὥστ' εἴ πως οἶόν τε, δοκεῖ μοι δεῖν καὶ τοὺς μὴ 5 γεγονότας ἤδη δεδιέναι περὶ τῶν μελλόντων ἔσεσθαι· διὰ γὰρ τοὺς τοιούτους οἱ κίνδυνοι κοινοὶ γίνονται καὶ τοῖς μηδὲν ἀδικοῦσι καὶ 2 τοῖς πολλὰ ἡμαρτηκόσιν. οὕτω δ' ἄπορος ὁ ἀγὼν μοι καθέστηκεν, ὥστε ἀπεγράφην τὸ μὲν 10 πρῶτον ἐλάαν ἐκ τῆς γῆς ἀφανίζειν, καὶ πρὸς τοὺς ἐωνημένους τοὺς καρποὺς τῶν μοριῶν πυν-

² ἂν addidit Scheide ; in MSS. deest.

³ Francken πονηραῖς συκοφανταῖς.

θανόμενοι προσῆσαν ἐπειδὴ δ' ἐκ τούτου τοῦ
 τρόπου ἀδικοῦντά με οὐδεν εὔρεῖν ἐδυνήθησαν,
 15 νυνὶ με σηκόν φασιν ἀφανίζειν, οἴομενοι ἐμοὶ μὲν
 ταύτην τὴν αἰτίαν ἀπορωτάτην εἶναι ἀπελέγξει,
 αὐτοῖς δὲ ἐξεῖναι μᾶλλον ὃ τι ἂν βούλωνται
 λέγειν. καὶ δεῖ με, περὶ ὧν οὗτος ἐπιβεβου- 3
 λευκῶς ἤκει, ἅμ' ὑμῖν τοῖς διαγνωσομένοις περὶ
 20 τοῦ πράγματος ἀκούσαντα¹ καὶ περὶ τῆς πατρίδος
 καὶ περὶ τῆς οὐσίας ἀγωνίσασθαι. ὅμως δὲ
 πειράσομαι ἐξ ἀρχῆς ὑμᾶς διδάξαι.

§ 2. *The vineyard in question belonged to Peisander ; on the confiscation of his goods, it was granted as a free gift to Apollodorus of Megara, and just before the usurpation (the Thirty) it was purchased and let out by Anticles : I purchased it from Anticles after the restoration. At that time it had neither olive nor stump of olive on it. That there once were such is possible, but I am not responsible for their disappearance ; the Spartan invasions and disturbances of the time will quite account for that, as in many other cases ; especially as for three years it was sequestered and unworked.*

Ἦν μὲν γὰρ τοῦτο Πεισάνδρου τὸ χωρίον, 4
 δημευθέντων δὲ τῶν ἐκείνου Ἀπολλόδωρος ὁ
 25 Μεγαρεὺς δωρεὰν παρὰ τοῦ δήμου λαβὼν τὸν
 μὲν ἄλλον χρόνον ἐγεώργει, ὀλίγῳ δὲ πρὸ τῶν
 τριάκοντα Ἀντικλῆς παρ' αὐτοῦ πριάμενος ἐξεμί-
 σθωσεν· ἐγὼ δὲ παρ' Ἀντικλέους εἰρήνης οὔσης
 ἐώνημαι. ἡγοῦμαι τοίνυν, ὦ βουλῇ, ἐμὸν ἔργον 5
 30 ἀποδείξαι ὥς, ἐπειδὴ τὸ χωρίον ἐκτησάμην, οὗτ'
 ἐλαία οὔτε σηκὸς ἐνῆν ἐν αὐτῷ. νομίζω γὰρ τοῦ

¹ ἀκούσαντα *Sauppeius*. *Al.* ἀκούσαντας vel ἀκούσασι. *Francken*
 pro ἤκει ἅμ' conj. εἰκὴ ἐπλάσ', et mox πράγματος νῦν πρῶτον
 ἀκούσαντα.

μὲν προτέρου χρόνου, οὐδ' εἰ πάλαι ἐνήσαν μυρίαί,
 οὐκ ἂν δικαίως ζημιοῦσθαι· εἰ γὰρ μὴ δι' ἡμᾶς
 εἰσιν ἠφανισμένοι, οὐδὲν προσήκει περὶ τῶν
 ἀλλοτρίων ἀμαρτημάτων ὡς ἀδικοῦντας κιν- 35
 6 δυνεύειν. πάντες γὰρ ἐπίστασθε ὅτι ὁ πόλεμος
 καὶ ἄλλων πολλῶν αἴτιος κακῶν γεγένηται, καὶ
 τὰ μὲν πόρρω ὑπὸ Λακεδαιμονίων ἐτέμνετο, τὰ
 δ' ἐγγὺς ὑπὸ τῶν φίλων διηρπάζετο· ὥστε πῶς
 ἂν δικαίως ὑπὲρ τῶν τῇ πόλει γεγεννημένων 40
 συμφορῶν ἐγὼ νυνὶ δίκην διδοίην ; ἄλλως τε καὶ
 τοῦτο τὸ χωρίον ἐν τῷ πολέμῳ δημευθὲν ἄπρακ-
 7 του² ἦν πλεῖν ἢ τρία ἔτη. οὐ θαυμαστὸν δ' εἰ
 τότε τὰς μορίας ἐξέκοπτον, ἐν ᾧ οὐδὲ τὰ ἡμέτερ'
 αὐτῶν φυλάττειν ἠδυνάμεθα. ἐπίστασθε δέ, ὧ 45
 βουλή, ὅσοι μάλιστα τῶν τοιούτων ἐπιμελείσθε,
 πολλὰ ἐν ἐκείνῳ τῷ χρόνῳ δασέα ὄντα ἰδίαις καὶ
 μορίαις ἐλαλαῖς, ὧν νῦν τὰ πολλὰ ἐκκέκοπται
 καὶ ἡ γῆ ψιλὴ γεγένηται· καὶ τῶν αὐτῶν καὶ ἐν
 τῇ εἰρήνῃ καὶ ἐν τῷ πολέμῳ κεκτημένων οὐκ 50
 ἀξιούτε παρ' αὐτῶν, ἐτέρων ἐκκοψάντων, δίκην
 8 λαμβάνειν. καίτοι εἰ τοὺς διὰ παντὸς τοῦ
 χρόνου γεωργοῦντας τῆς αἰτίας ἀφίετε, ἥ που
 χρὴ τοὺς γ' ἐν τῇ εἰρήνῃ πριαμένους ἀφ' ὑμῶν
 ἀζημίους γενέσθαι.

55

§ 3. *I shall now prove (1) that within five days of my purchase I let the land to Kallistratus, who held it for two years, without any mention of any olive tree, sacred or other, or of any olive stump ; (2) that in the third year of my ownership Demetrius held it for a year ; (3) that in the fourth year I let it to Alkias, a freedman of*

² W. ἄλλως τ' εἰ. Fr. ἀσκαπτον. R. and W. ἀπρατον.

Antisthenes, now dead; (4) that finally, Proteus hired it, —all equally without any mention of olives or olive stumps.

Ἀλλὰ γάρ, ὦ βουλή, περὶ μὲν τῶν πρό- 9
 τερον γεγενημένων πολλὰ ἔχων εἰπεῖν ἱκανὰ
 νομίζω τὰ εἰρημένα· ἐπειδὴ δ' ἐγὼ παρέλαβον
 τὸ χωρίον, πρὶν ἡμέρας πέντε γενέσθαι, ἀπε-
 60 μίσθωσα Καλλιστράτῳ, ἐπὶ Πυθοδώρου ἄρχοντος·
 ὃς δύο ἔτη ἐγεώργησεν, οὔτε ἰδίαν ἐλαίαν οὔτε 10
 μορίαν οὔτε σηκὸν παραλαβών. τρίτῳ δὲ ἔτει
 Δημήτριος οὕτοσὶ εἰργάσατο ἐνιαυτόν.* τῷ δὲ
 τετάρτῳ Ἀλκίᾳ Ἀντισθένης ἀπελευθέρῳ ἐμίσ-
 65 θωσα, ὃς τέθνηκε ταῦτα τρία ἔτη. ὁμοίως καὶ
 Πρωτέας ἐμίσθώσατο. Καὶ μοι δεῦρο ἴτε μάρ-
 τυρες.

WITNESSES TO DEPOSE ABOVE FACTS.

§ 4. *Now it is after these tenancies that my own occupation began, and that my accuser asserts that I cut the stump. But the above evidence, covering several years, proves that there was no such stump.*

Ἐπειδὴ τοίνυν ὁ χρόνος οὗτος ἐξήκει, αὐτός 11
 γεωργῶ. φησὶ δὲ ὁ κατήγορος ἐπὶ Σουνιάδου
 70 ἄρχοντος σηκὸν ὑπ' ἐμοῦ ἐκκεκόφθαι. ὑμῖν δὲ
 μεμαρτυρήκασιν οἱ πρότερον ἐργαζόμενοι καὶ
 πολλὰ ἔτη παρ' ἐμοῦ μεμισθωμένοι μὴ εἶναι
 σηκὸν ἐν τῷ χωρίῳ. καίτοι πῶς ἂν τις φανερώ-
 75 τερον ἐξελέγξειε ψευδόμενον τὸν κατήγορον;
 οὐ γὰρ οἶόν τε, ἂ πρότερον μὴ ἦν, ταῦτα τὸν
 ὕστερον ἐργαζόμενον ἀφανίζειν.

* Seclustit Rauch. W. ταῦτόν.

§ 5. *Besides, what could have been my motive? I should have gained nothing. A stump would not spoil the property, be in the way of the vines, or incommode a dwelling-house; nor was I a poor man to whom its value would be of importance.*

On the other hand, there was every chance of detection, for so many had tenanted the vineyard that some one of them would be sure to notice it, for fear the act should be attributed to them. Then, too, my slaves would have become my masters, knowing that by giving information they could secure their freedom.

- 12 Ἐγὼ τοίνυν, ὦ βουλή, ἐν μὲν τῷ τέως χρόνῳ, ὅσοι με φάσκοιεν δεινὸν εἶναι καὶ ἀκριβῆ καὶ οὐδὲν ἂν εἰκῇ καὶ ἀλογίστως ποιῆσαι, ἡγανάκτουν ἅν, αἰρούμενος³ μᾶλλον λέγεσθαι ὥς 80 μοι προσήκε· νῦν δὲ πάντας ἂν ὑμᾶς βουλοίμην περὶ ἐμοῦ ταύτην τὴν γνώμην ἔχειν, ἵνα ἡγήσθῃ⁴ με σκοπεῖν, εἵπερ τοιούτοις ἔργοις ἐπεχείρουν, καὶ ὃ τι κέρδος ἐγίνετο τῷ ἀφανίσαντι καὶ ἦτις ζημία τῷ ποιήσαντι, καὶ τί ἂν λαθὼν διεπραξάμην 85 καὶ τί ἂν φανερὸς γενόμενος ὑφ' ὑμῶν ἔπασχον.
- 13 πάντες γὰρ ἄνθρωποι τὰ τοιαῦτα οὐχ ὕβρεως ἀλλὰ κέρδους ἔνεκα ποιοῦσι· καὶ ὑμᾶς εἰκὸς οὕτω σκοπεῖν, καὶ τοὺς ἀντιδίκους ἐκ τούτων τὰς κατηγορίας ποιεῖσθαι, ἀποφαίνοντας ἦτις ὠφέλεια 90
- 14 τοῖς ἀδικήσασιν ἐγίνετο. οὗτος μέντοι οὐκ ἂν ἔχοι ἀποδείξαι οὐθ' ὥς ὑπὸ πενίας ἡναγκάσθην τοιούτοις ἔργοις ἐπιχειρεῖν, οὐθ' ὥς τὸ χωρίον μοι διαφθείρεται τοῦ σηκοῦ ὄντος, οὐθ' ὥς ἀμπέλους ἐμποδὼν ἦν, οὐθ' ὥς οἰκίας ἐγγύς, οὐθ' 95 ὥς ἐγὼ ἄπειρος τῶν παρ' ὑμῖν κινδύνων, εἴ τι

³ αἰρούμενος conj. Sauppe. Al. ἡγούμενος. Cob. μᾶλλον ἢ. W. ἡγούμενος . . . λέγεσθαι κακῶς ἢ ὥς.

⁴ "Non ferendus est conjunctivus post βουλοίμην ἂν, sequente præterea ἐπεχείρουν. Fortasse scriptum fuit ἐβουλόμην [ἵν' ἡγήσθῃ." Fr. [ἡγείσθῃ?] Idem tollit τῷ in vv. 84-5, et ἂν inserit.

- τούτων ἔπραττον. πολλὰς γὰρ⁵ ἂν καὶ μεγάλας
 ἑμαυτῷ ζημίας γενομένας ἀποφῆναιμι· ὃς πρῶτον 15
 μὲν μεθ' ἡμέραν ἐξέκοπτον τὸν σηκόν, ὥσπερ οὐ
 100 πάντας λαθεῖν δέον, ἀλλὰ πάντας Ἀθηναίους
 εἰδέναι. καὶ εἰ μὲν αἰσχροὺν ἦν μόνον τὸ πρᾶγμα,
 ἴσως ἂν τις τῶν παριόντων ἡμέλησε· νῦν δ' οὐ
 περὶ αἰσχύνῃς ἀλλὰ τῆς μεγίστης ζημίας ἐκιν-
 δύνεον. πῶς δ' οὐκ ἂν ἦν ἀθλιώτατος ἀνθρώπων 16
 105 ἀπάντων, εἰ τοὺς ἑμαυτοῦ θεράποντας μηκέτι
 δούλους ἔμελλον ἔξειν ἀλλὰ δεσπότης τὸν λοιπὸν
 βίον, τοιοῦτον ἔργον συνειδότας ; ὥστε εἰ καὶ τὰ
 μέγιστα εἰς ἐμὲ ἐξημάρτανον, οὐκ ἂν οἶός τε
 ἦν δίκην παρ' αὐτῶν λαμβάνειν· εὖ γὰρ ἂν
 110 ᾔδειν ὅτι ἐπ' ἐκείνοις ἦν καὶ ἐμὲ τιμωρήσασθαι
 καὶ αὐτοῖς μὲνυσασιν ἐλευθέροις γενέσθαι. ἔτι 17
 τοίνυν εἰ τῶν οἰκετῶν παρέστη μοι μηδὲν φρον-
 τίζειν, πῶς ἂν ἐτόλμησα τοσούτων μεμισθωμένων
 καὶ ἀπάντων συνειδόντων ἀφανίσαι τὸν σηκόν
 115 βραχέος μὲν κέρδους ἕνεκα, προθεσμίας δὲ οὐδε-
 μιᾶς οὔσης τῷ κινδύνῳ τοῖς εἰργασμένοις ἅπασι
 τὸ χωρίον ὁμοίως προσήκον εἶναι σὼν τὸν σηκόν,
 ἵν' εἴ τις αὐτοὺς ᾔτιᾶτο, εἶχον ἀνενεγκεῖν ὅτῳ
 παρέδοσαν. νῦν δὲ καὶ ἐμὲ ἀπολύσαντες φαίνον-
 120 ται, καὶ σφᾶς αὐτούς, εἴπερ ψεύδονται, μετόχους
 τῆς αἰτίας καθιστάντες.

§ 6. See how improbable their tale is. I am supposed to have personally superintended the removal of this stump, surrounded by neighbours, many of whom were not on friendly terms with me.

⁵ πολλὰς γὰρ Baitt. et Sauv. MS. om. γὰρ. Alii alias medelas afferunt. W. ἐγὼ δ' εἰ τι τοιοῦτον . . . πολλὰς ἂν.

And though I have many other estates on which there are many similar trees, which I could have cut down with less fear of detection, I am supposed to have selected this particular vineyard, where, as they say, there was only one stump, to commit a crime from which I could get no advantage, and in committing which I ran the risk of conviction by the Archons being brought to the spot. Is it not evident that this charge is the offspring of mere malice?

Εἰ τοίνυν καὶ ταῦτα παρεσκευασάμην, πῶς
 ἂν οἷός τ' ἦν πάντας πείσαι τοὺς παριόντας,
 ἢ τοὺς γείτονας,* οἳ οὐ μόνον ἀλλήλων ταῦτ'
 ἴσασιν ἀ πᾶσιν ὁρᾶν ἔξεστιν, ἀλλὰ καὶ περὶ 125
 ὧν ἀποκρυπτόμεθα⁶ μηδένα εἰδέναι, καὶ περὶ
 ἐκείνων πυνθάνονται; ἐμοὶ τοίνυν τούτων οἱ
 μὲν φίλοι οἱ δὲ διάφοροι περὶ τῶν ἐμῶν τυγ-
¹⁹χάνουσιν ὄντες. οὗς ἐχρῆν τοῦτον παρασχέσ-
 θαι μάρτυρας, καὶ μὴ μόνον οὕτως τολμηρὰς 130
 κατηγορίας ποιεῖσθαι· ὅς φησιν ὡς ἐγὼ μὲν
 παρειστήκειν, οἱ δ' οἰκέται ἐξέτεμνον τὰ πρέμνα,
 ἀναθέμενος δὲ ὁ βοηλάτης ᾤχετο ἀπάγων τὰ
²⁰ξύλα. καίτοι, ὦ Νικόμαχε, χρῆν σε τότε καὶ
 παρακαλεῖν τοὺς παριόντας μάρτυρας, καὶ φανερόν 135
 ποιεῖν τὸ πρᾶγμα· καὶ ἐμοὶ μὲν οὐδεμίαν ἂν
 ἀπολογίαν ὑπέλιπες, αὐτὸς δέ, εἰ μὲν σοι ἐχθρὸς
 ἦν, ἐν τούτῳ τῷ τρόπῳ ἦσθα ἂν με τετιμωρημένος,
 εἰ δὲ τῆς πόλεως ἔνεκα ἔπραττες, οὕτως ἐξελέγξας
²¹οὐκ ἂν ἐδόκεις εἶναι συκοφάντης, εἰ δὲ κερδαίνειν 140
 ἐβούλου, τότε ἂν πλείστον ἔλαβες· φανεροῦ γὰρ
 ὄντος τοῦ πράγματος οὐδεμίαν ἄλλην ἡγούμην ἂν

* W. τοὺς περιοικοῦντας γείτονας.

⁶ ἀποκρυπτόμενοι οἰόμεθα conj. Scheib. Cp. Thuc. 2, 53, 2.

- εἶναί μοι σωτηρίαν ἢ σέ πείσαι. τούτων τοίνυν
οὐδὲν ποιήσας διὰ τοὺς σοὺς λόγους ἀξιοῖς με
145 ἀπολέσθαι, καὶ κατηγορεῖς ὥς ὑπὸ τῆς ἐμῆς
δυνάμεως καὶ τῶν ἐμῶν χρημάτων οὐδεὶς ἐθέλει
σοι μαρτυρεῖν. καίτοι εἰ φήσας μ' ἰδεῖν τὴν 22
μορίαν ἀφανίζοντα τοὺς ἐννέα ἄρχοντας ἐπήγαγες
ἢ ἄλλους τινὰς τῶν ἐξ Ἀρείου πάγου, οὐκ ἂν
150 ἐτέρων ἔδει σοι μαρτύρων· οὕτω γὰρ ἂν σοι
συνήδεσαν ἀληθῇ λέγοντι, οἷπερ καὶ διαγιγ-
νώσκειν ἔμελλον περὶ τοῦ πράγματος. δεινότατα 23
οὖν πάσχω· ὅς⁷ εἰ μὲν παρέσχετο μάρτυρας,
τούτοις ἂν ἡξίου πιστεύειν, ἐπειδὴ δὲ οὐκ εἰσὶν
155 αὐτῷ, ἐμοὶ καὶ ταύτην τὴν ζημίαν οἴεται χρῆναι
γενέσθαι. καὶ τούτου μὲν οὐ θαυμάζω· οὐ γὰρ
δήπου συκοφαντῶν ἅμα τοιούτων γε λόγων
ἀπορήσει καὶ μαρτύρων· ὑμᾶς δ' οὐκ ἀξιῶ τὴν
αὐτὴν τούτῳ γνώμην ἔχειν. ἐπίστασθε γὰρ ἐν 24
160 τῷ πεδίῳ πολλὰς μορίας οὐσας καὶ πυρκαϊὰς⁸ ἐν
τοῖς ἄλλοις τοῖς ἐμοῖς χωρίοις, ἅς, εἴπερ ἐπεθύμουν,
πολὺ ἦν ἀσφαλέστερον καὶ ἀφανίσαι καὶ ἐκκόψαι
καὶ ἐπεργάσασθαι, ὅσῳπερ ἦττον τὸ ἀδίκημα
πολλῶν οὐσῶν ἔμελλε δῆλον ἔσεσθαι. νῦν 25
165 δ' οὕτως αὐτὰς περὶ πολλοῦ ποιούμεαι ὥσπερ καὶ
τὴν πατρίδα καὶ τὴν ἄλλην οὐσίαν, ἡγούμενος
περὶ ἀμφοτέρων τούτων εἶναί μοι τὸν κίνδυνον.
αὐτοὺς τοίνυν ὑμᾶς τούτων μάρτυρας παρέξομαι,
ἐπιμελουμένους μὲν ἐκάστου μηνός, ἐπιγνώμονας
170 δὲ πέμποντας καθ' ἕκαστον ἐνιαυτόν· ὧν οὐδεὶς
πώποτ' ἐξημίωσεν ὥς ἐργαζόμενον τὰ περὶ τὰς

⁷ ὅς al. om., al. conj. εἰ μὲν γὰρ, vel ὅτι vel ὅσω εἰ μὲν.

⁸ "Certissime corruptum: an latet nomen loci, i.e. Περ-
γασῆσι?"—Dobr. Francken conj. μυρίας δ' ἐλάας.

26 μορίας χωρία. καίτοι οὐ δήπου τὰς μὲν μικρὰς
 ζημίας οὕτω περὶ πολλοῦ ποιούμεαι, τοὺς δὲ περὶ
 τοῦ σώματος κινδύνους οὕτω περὶ οὐδενὸς
 ἡγούμεαι· καὶ τὰς μὲν πολλὰς ἐλαίας, εἰς ἃς ἐξῆν 175
 μᾶλλον ἐξαμαρτάνειν, οὕτω θεραπεύων φαίνομαι,
 τὴν δὲ μορίαν, ἣν οὐχ οἶόν τ' ἦν λαθεῖν ἐξορύξ-
 27 αντα, ὥς ἀφανίζων νυνὶ κρίνομαι; Πότερον δέ
 μοι κρεῖττον ἦν, ὧ βουλή, δημοκρατίας οὔσης
 παρανομεῖν ἢ ἐπὶ τῶν τριάκοντα; καὶ οὐ λέγω 180
 ὥς τότε δυνάμενος ἢ ὥς νῦν διαβεβλημένος, ἀλλ'
 ὥς τῷ βουλομένῳ τότε μᾶλλον ἐξον⁹ ἀδικεῖν ἢ
 νυνί. ἐγὼ τοίνυν οὐδ' ἐν ἐκείνῳ τῷ χρόνῳ οὔτε
 τοιοῦτο οὔτε ἄλλο οὐδὲν κακὸν ποιήσας φανή-
 28 σομαι. Πῶς δ' ἂν, εἰ μὴ πάντων ἀνθρώπων 185
 ἐμαυτῷ κακονούστατος ἦν, ὑμῶν οὕτως ἐπιμελου-
 μένων ἐκ τούτου τὴν μορίαν ἀφανίζειν ἐπεχείρησα
 τοῦ χωρίου, ἐν ᾧ δένδρον μὲν οὐδὲ ἔν ἐστι, μιᾶς
 δὲ ἐλαίας σηκός, ὥς οὗτός φησιν εἶναι, κυκλόθεν
 δὲ ὁδὸς περιέχει, ἀμφοτέρωθεν δὲ γείτονες περι- 190
 οικοῦσιν, ἄερκτον δὲ καὶ πανταχόθεν κάτοπτόν
 ἐστιν; ὥστε τίς ἂν ἀπετόλμησε, τούτων οὕτως
 29 ἐχόντων, ἐπιχειρῆσαι τοιούτῳ πράγματι; Δεινὸν
 δέ μοι δοκεῖ εἶναι ὑμᾶς μὲν, οἷς ὑπὸ τῆς πόλεως
 τὸν ἅπαντα χρόνον προστέτακται τῶν μοριῶν 195
 ἐλαιῶν ἐπιμελεῖσθαι, μήθ' ὥς ἐπεργαζόμενον
 πώποτε ζημιῶσαι μήθ' ὥς ἀφανίσαντα εἰς κίν-
 δυνον καταστήσαι, τοῦτον δ', ὃς οὔτε γεωργῶν
 ἐγγὺς τυγχάνει οὐτ' ἐπιμελητῆς ἡρημένος οὔθ'
 ἡλικίαν ἔχων εἰδέναι περὶ τῶν τοιούτων, ἀπο- 200
 γράψαι με μορίαν ἀφανίζειν.

⁹ ἐξον Dobree pro vulg. ἐξῆν. Francken ὑμῶν διαβεβλημένος.

§ 7. *Do not let the assertions of one man weigh against the facts of my whole life and character, which are free from all taint of bad citizenship.*

Ἐγὼ τοίνυν δέομαι ὑμῶν μὴ τοὺς τοιού- 30
 τους λόγους πιστοτέρους ἡγήσασθαι τῶν ἔργων,
 μηδὲ περὶ ὧν αὐτοὶ σύνιστε,¹⁰ ταῦτ' ἀνασχέσθαι
 205 τῶν ἐμῶν ἐχθρῶν λεγόντων, ἐνθυμουμένους καὶ
 ἐκ τῶν εἰρημένων καὶ ἐκ τῆς ἄλλης πολιτείας.
 ἐγὼ γὰρ τὰ ἐμοὶ προστεταγμένα ἅπαντα προ- 31
 θυμότερον πεποίηκα, ὥς ὑπὸ τῆς πόλεως ἡναγ-
 καζόμενην, καὶ τριηραρχῶν καὶ εἰσφορὰς εἰσφέρων
 210 καὶ χορηγῶν καὶ τὰλλα λειτουργῶν οὐδενὸς ἥττον
 πολυτελῶς τῶν πολιτῶν. καίτοι ταῦτα μὲν 32
 μετρίως ποιῶν ἀλλὰ μὴ προθύμως οὐτ' ἂν περὶ
 φυγῆς οὐτ' ἂν περὶ τῆς ἄλλης οὐσίας ἡγωνιζόμενην,
 πλείω δ' ἂν ἐκεκτῆμην, οὐδὲν ἀδικῶν οὐδ' ἐπικίν-
 215 δυνον ἐμαυτῷ καταστήσας τὸν βίον· ταῦτα δὲ
 πράξας, ἃ οὗτός μου κατηγορεῖ, ἐκέρδαινον μὲν
 οὐδέν, ἐμαυτὸν δ' εἰς κίνδυνον καθίστην. καίτοι 33
 πάντες ἂν ὁμολογήσαιτε δικαιότερον εἶναι τοῖς
 μεγάλοις χρῆσθαι τεκμηρίοις περὶ τῶν μεγάλων,
 220 καὶ πιστότερα ἡγεῖσθαι περὶ ὧν ἅπασα ἡ πόλις
 μαρτυρεῖ, μᾶλλον ἢ περὶ ὧν μόνος οὗτος κατηγορεῖ.

§ 8. *Besides I offered my slaves to be examined by torture. This showed great confidence in my innocence. For slaves would naturally be inclined to condemn their master, both from feelings of revenge, and from a hope of freedom. You may judge then his motive for declining this test.*

Ἐτι τοίνυν, ὦ βουλή, ἐκ τῶν ἄλλων σκέ- 34

¹⁰ al. περὶ ὧν αὐτοὶ οὐδὲν ἐμοὶ σύνιστε.

ψασθε. μάρτυρας γὰρ ἔχων αὐτῷ προσήλθον,
λέγων ὅτι μοι πάντες εἰσὶν οἱ θεράποντες, οὓς
ἐκεκτῆμην ἐπειδὴ παρέλαβον τὸ χωρίον, καὶ 225
ἔτοιμός εἰμι,¹¹ εἴ τινα βούλοιο, παραδοῦναι
βασανίζειν, ἡγούμενος οὕτως ἂν τὸν ἔλεγχον
ἰσχυρότερον γενέσθαι τῶν τούτου λόγων καὶ τῶν
35 ἔργων τῶν ἐμῶν. οὗτος δ' οὐκ ἤθελεν, οὐδὲν
φάσκων πιστὸν εἶναι τοῖς θεράπουσιν. ἐμοὶ δὲ 230
δοκεῖ δεινὸν¹² εἶναι, εἰ περὶ αὐτῶν μὲν οἱ βασανιζό-
μενοι κατηγοροῦσιν,¹² εὖ εἰδότες ὅτι ἀποθανοῦνται,
περὶ δὲ τῶν δεσποτῶν, οἷς πεφύκασι κακονού-
στατοι, μᾶλλον ἂν εἴλοντο ἀνέχεσθαι βασανιζό-
μενοι ἢ κατειπόντες ἀπηλλάχθαι τῶν παρόντων 235
36 κακῶν. καὶ μὲν δὴ, ὦ βουλή, φανερὸν οἶμαι
εἶναι ὅτι, εἰ Νικομάχου ἐξαιτουῦντος τοὺς ἀνθρώ-
πους μὴ παρεδίδουν, ἐδόκουν ἂν ἐμαυτῷ ξυνειδέναι·
ἐπειδὴ τοίνυν ἐμοῦ παραδιδόντος οὗτος παραλαβεῖν
οὐκ ἤθελε, δίκαιον καὶ περὶ τούτου τὴν αὐτὴν 240
γνώμην σχεῖν, ἄλλως τε καὶ τοῦ κινδύνου οὐκ
37 ἴσου ἀμφοτέροις ὄντος. περὶ ἐμοῦ μὲν γὰρ εἰ
ἤλεγχον, οὐδ' ἂν ἀπολογήσασθαι μοι ἐξεγένετο·
τούτῳ δ' εἰ μὴ ὡμολόγουν ἃ οὗτος ἐβούλετο,
οὐδεμιᾷ ζημία ἔνοχος ἦν. ὥστε πολὺ μᾶλλον 245
τούτον παραλαμβάνειν ἐχρῆν ἢ ἐμὲ παραδοῦναι
προσήκεν. ἐγὼ τοίνυν εἰς τοῦτο προθυμίας
ἀφικόμην, ἡγούμενος μετ' ἐμοῦ εἶναι καὶ ἐκ
βασάνων καὶ ἐκ μαρτύρων καὶ ἐκ τεκμηρίων
ὑμᾶς περὶ τοῦ πράγματος τάληθῇ πυθέσθαι. 250

¹¹ εἰμί, al. εἶην, ἡμην.

¹² *Cobet* vult ἀποπον . . καταγορεύουσιν, *malæ Græcitatatis* κατηγορεῖν περὶ τινος *arguens*.

§ 9. Consider then (1) that I offer every evidence, my accuser none ; (2) that the prosecutor is not so likely to be acting from public spirit as from the hope of extorting hush-money from me ; (3) that the effects of your condemning me would be most miserable,—I being childless, and the sole support of my mother, though I have served the State in many capacities.

ἐνθυμείσθαι δὲ χρή, ὦ βουλή, ποτεροῖς χρή 38
πιστεύειν μᾶλλον, οἷς πολλοὶ μεμαρτυρήκασιν ἢ
ὃ μὴδεὶς τετόλμηκε, καὶ πότερον εἰκὸς μᾶλλον
τοῦτον ἀκινδύνως ψεύδεσθαι ἢ μετὰ τοσούτου
255 κινδύνου τοιοῦτον ἐμὲ ἔργον ἐργάσασθαι, καὶ
πότερον οἴεσθε αὐτὸν ὑπὲρ τῆς πόλεως βοηθεῖν
ἢ συκοφαντοῦντα αἰτιάσασθαι ; ἐγὼ μὲν ἐγνω- 39
κέναι¹³ ὑμᾶς ἡγοῦμαι ὅτι Νικόμαχος ὑπὸ τῶν
ἐχθρῶν πεισθεὶς τῶν ἐμῶν τοῦτον τὸν ἀγῶνα
260 ἀγωνίζεται, οὐχ ὥς ἀδικοῦντα ἐλπίζων ἀποδείξειν,
ἀλλ' ὥς ἀργύριον παρ' ἐμοῦ λήψεσθαι προσδοκῶν.
ὅσῳ γὰρ οἱ τοιοῦτοὶ εἰσιν ἐπαιτιώτατοι καὶ
ἀπορώτατοι τῶν κινδύνων, τοσούτῳ πάντες αὐτοὺς
φεύγουσι μάλιστα. ἐγὼ δέ, ὦ βουλή, οὐκ ἠξίου, 40
265 ἀλλ' ἐπειδήπερ με ἠτιάσατο, παρέσχον ἐμαυτὸν
ὅ τι βούλεσθε χρῆσθαι, καὶ τούτου ἔνεκα τοῦ
κινδύνου οὐδενὶ ἐγὼ τῶν ἐχθρῶν διηλλάγην, οἷ
ἐμὲ ἥδιον κακῶς λέγουσιν ἢ σφᾶς αὐτοὺς ἐπαι-
νοῦσι, καὶ φανερώς μὲν οὐδεὶς πώποτε ἐμὲ αὐτῶν
270 ἐπεχείρησε ποιῆσαι κακὸν οὐδέν, τοιούτους δὲ
ἐπιπέμπουσί μοι, οἷς ὑμεῖς οὐκ ἂν δικαίως πισ-
τεύοιτε. πάντων γὰρ ἀθλιώτατος ἂν γενοίμην, 41

¹³ ἐγνωκέναι Hamakerus, MSS. om. νομίζω Saupp. : al. ὑποπτεύειν, ἡσθῆσθαι. W. ἐγνωκέναι μὲν ὑμᾶς.

εἰ φυγὰς ἀδίκως καταστήσομαι, ἅπαις μὲν ὦν καὶ
μόνος, ἐρήμου δὲ τοῦ οἴκου γενομένου, μητρὸς
δὲ πάντων ἐνδεοῦς, πατρίδος δὲ τοιαύτης ἐπ' 275
αἰσχίσταις στερηθεὶς αἰτίαις, πολλὰς μὲν ναυ-
μαχίας ὑπὲρ αὐτῆς νεναυμαχηκῶς, πολλὰς δὲ
μάχας μεμαχημένος, κόσμιον δ' ἑμαυτὸν καὶ ἐν
δημοκρατίᾳ καὶ ἐν ὀλιγαρχίᾳ παρασχών.

§ 10. *Recapitulation.* I have shown (1) that no stump
was in the vineyard; (2) that though, if what he says is
true, he might have caught me in the act of cutting it
down, he put off his accusation for a long time; (3) that
he has brought no evidence of his assertion; (4) that he
has refused my offer of my slaves to be examined by
torture, though he asserts that they were present.

- 42 Ἀλλὰ γάρ, ὦ βουλή, ταῦτα μὲν ἐνθάδε 280
οὐκ οἶδ' ὃ τι δεῖ λέγειν· ἀπέδειξα δ' ὑμῖν ὥς
οὐκ ἐνῆν σηκὸς ἐν τῷ χωρίῳ, καὶ μάρτυρας
παρεσχόμεν καὶ τεκμήρια. ἃ χρὴ μεμνημένους
διαγιγνώσκειν περὶ τοῦ πράγματος, καὶ ἀξιοῦν
παρὰ τούτου πυθέσθαι ὅτου ἔνεκα, ἐξὸν ἐπ' 285
αὐτοφώρῳ ἐλέγξαι, τοσοῦτ' χρόνῳ ὕστερον εἰς
43 τοσοῦτόν με κατέστησεν ἀγῶνα, καὶ μάρτυρα
οὐδένα παρασχόμενος ἐκ τῶν λόγων ζητεῖ πιστὸς
γενέσθαι, ἐξὸν αὐτοῖς τοῖς ἔργοις ἀδικοῦντα ἀπο-
δεῖξαι, καὶ ἐμοῦ ἅπαντας διδόντος τοὺς θεράπον- 290
τας, οὓς φησι παραγενέσθαι, παραλαβεῖν οὐκ
ἤθελεν.

ORATION III. [9.]

FOR THE DEFENDANT, POLYÆNUS, ON A SUIT OF
CONFISCATION FOR HAVING "SPOKEN EVIL OF
MAGISTRATES," AND NOT PAID THE FINE.

§ 1. *Why have my accusers not spoken on the main charge, but only attacked my character? To divert your attention from the merits of the case, which I nevertheless must fully state.*

Τί ποτε διανοηθέντες οἱ ἀντίδικοι τοῦ μὲν
πράγματος παρημελήκασιν, τὸν δὲ τρόπον μου
ἐπεχείρησαν διαβάλλειν ; πότερον ἀγνοοῦντες ὅτι
περὶ τοῦ πράγματος προσήκει λέγειν ; ἢ τόδε
5 μὲν ἐπίστανται, ἡγούμενοι δὲ λήσειν περὶ παντὸς
πλείω λόγον ἢ τοῦ προσήκοντος ποιοῦνται ; ὅτι 2
μὲν οὐκ ἐμοῦ καταφρονήσαντες ἀλλὰ τοῦ πραγ-
ματος τοὺς λόγους ποιοῦνται, σαφῶς ἐπίσταμαι·
εἰ μέντοι ὑμᾶς οἴονται δι' εὐήθειαν¹ ὑπὸ τῶν δια-
10 βολῶν πεισθέντας καταψηφιεῖσθαι μου, οὐκ ἂν
θαυμάσαιμι ; ᾧ μιν μὲν οὖν, ὧ ἄνδρες δικασταί, 3
περὶ τοῦ ἐγκλήματος, οὐ περὶ τοῦ τρόπου τὸν
ἀγῶνά μοι προκεῖσθαι· διαβαλλόντων δέ με τῶν
ἀντιδίκων ἀναγκαῖόν ἐστι περὶ πάντων τὴν
15 ἀπολογίαν ποιήσασθαι. πρῶτον μὲν οὖν περὶ
τῆς ἀπογραφῆς ὑμᾶς διδάξω.

§ 2. *The year before last I found myself on the list of military service, though I had not been two months home. I went to the Strategē, but found no redress. They were*

¹ εὐήθειαν reposuit Cobet. MSS. edd. εὐνοίαν. Cf. v. § 87.

angry at my appeal, and acting on some information as to my having spoken of them in strong terms, Ctesicles and his colleagues fined me (under a law which did not apply to my case). Not venturing to exact the fine, they entered my name in a register as a defaulter at the end of their year, that the commissioners might levy it ; who, however, on their own authority, remitted it. On the illegality of this remission rests their action against me.

- 4 Ἀφικόμενος προπέρυσιν εἰς τὴν πόλιν, οὐπω
 δύο μῆνας ἐπιδεδημηκῶς κατελέγην στρατιώτης.
 αἰσθόμενος δὲ τὸ πραχθὲν ὑπετοπούμην εὐθέως
 ἐπὶ μηδενὶ ὑγιεῖ κατελέχθαι. προσελθὼν οὖν 20
 τῷ στρατηγῷ ἐδήλωσα ὅτι ἐστρατευμένος εἶην,
 ἔτυχον δὲ οὐδενὸς τῶν μετρίων. προπηλα-
 κιζόμενος δὲ ἡγανάκτουν μὲν, ἡσυχίαν δ' εἶχον.
- 5 ἀπορούμενος δὲ καὶ συμβουλευόμενός τινι τῶν
 πολιτῶν τί χρήσωμαι τῷ πράγματι, ἐπυθόμην 25
 ὥς καὶ δῆσειν με ἀπειλοῖεν, λέγοντες ὅτι οὐδὲν
 ἐλάττω χρόνον Καλλικράτους Πολύαινος ἐνδημοίη.
 κάμοι μὲν τὰ προειρημένα διείλεκτο ἐπὶ τῇ
- 6 Φιλίου τραπέζῃ· οἱ δὲ μετὰ Κτησικλέους τοῦ
 ἄρχοντος, ἀπαγγείλαντός τινος ὥς ἐγὼ λοιδοροίην, 30
 τοῦ νόμου ἀπαγορεύοντος ΕΑΝ ΤΙΣ ΑΡΧΗΝ ΕΝ
 ΣΤΥΝΕΔΡΙΩΙ ΛΟΙΔΟΡΗΙ, παρὰ τὸν νόμον ζημιῶσαι
 ἡξίωσαν. ἐπιβαλόντες δὲ τὸ ἀργύριον πράξασθαι
 μὲν οὐκ ἐπεχείρησαν, ἐξιούσης δὲ τῆς ἀρχῆς
 γράψαντες εἰς λεύκωμα τοῖς ταμίαις παρέδωκαν. 35
- 7 οἷδε μὲν τάδε διεπράξαντο· οἱ δὲ ταμίαι οὐδὲν
 ὅμοιον τοῖσδε διανοηθέντες, ἀνακαλεσάμενοι τοὺς
 παραδόντας τὴν γραφήν, ἐσκοποῦντο τῆς αἰτίας

τὴν πρόφασιν. ἀκούσαντες δὲ τὸ γεγενημένον,
 40 ἐννοοῦντες οἷα πεπονθὼς ἦν, τὸ μὲν πρῶτον
 ἔπειθον αὐτοὺς ἀφείναι, διδάσκοντες ὥς οὐκ
 ἐπικεικὲς εἶη τῶν πολιτῶν τινὰς δι' ἰδίας ἔχθρας
 ἀναγράφεσθαι, ἀποροῦντες δὲ μεταπεῖσαι αὐτούς,
 τὸν παρ' ὑμῶν κίνδυνον ὑποστάντες ἄκυρον τὴν
 45 ζημίαν ἔκριναν. "Ὅτι μὲν οὖν ἀφείθην ὑπὸ τῶν 8
 ταμιῶν, ἐπίστασθε· προσήκειν δὲ ἡγούμενος καὶ
 διὰ ταύτην τὴν ἀπόδειξιν ἀπηλλάχθαι τοῦ
 ἐγκλήματος, ἔτι πλείονας καὶ νόμους καὶ ἄλλας
 δικαιώσεις παρασχέσομαι. Καὶ μοι λαβὲ τὸν
 50 νόμον.

LAW AS TO "SPEAKING EVIL OF MAGISTRATES"
 PUT IN.

§ 3. *I do not come under this law, not having been in the "assembly" at all. And even if I did, the action would now lie against the commissioners for the illegal remission of the fine, not against me.*

Τοῦ μὲν νόμου διαρρήδην ἀγορεύοντος ΤΟΤΣ 9
 ΕΝ ΤΩΙ ΣΤΥΝΕΔΡΙΩΙ ΛΟΙΔΟΡΟΥΝΤΑΣ ζημιοῦν ἀκηκόατε·
 ἐγὼ δ' ὅτι μὲν οὐκ εἰσῆλθον εἰς τὸ ἀρχεῖον,
 μάρτυρας παρεσχόμην, ἀδίκως δὲ ζημιωθείς
 55 οὐτ' ὀφείλω οὐτ' ἐκτίσαι δίκαιός εἰμι. εἰ γὰρ
 φανερός εἰμι μὴ ἔλθων εἰς τὸ συνέδριον, ὁ δὲ 10
 νόμος τοὺς ἐντὸς πλημμελοῦντας ἀγορεύει τὴν
 ζημίαν ὀφείλειν, ἡδικηκῶς μὲν οὐδὲν φαίνομαι,
 ἔχθρα δὲ ἄνευ τούτου παραλόγως ζημιωθείς.
 60 συνέγνωσαν δὲ καὶ αὐτοὶ σφίσιν ὥς ἡδικηκότες· 11

οὔτε γὰρ εὐθύνας ὑπέσχον, οὔτε εἰς δικαστήριον
 εἰσελθόντες τὰ πραχθέντα ψήφῳ κύρια κατέ-
 στησαν. εἰ δ' οὖν ἐξημιώσαν μὲν οἶδε προση-
 κόντως, ἐκύρωσαν δ' ἐν ὑμῖν τὴν ἐπιβολήν, τῶν
 ταμιῶν ἀφέντων εἰκότως ἂν τοῦ ἐγκλήματος 65
 12 ἀπηλλαγμένος εἴην. εἰ μὲν γὰρ κύριοι ἦσαν
 πράξασθαι ἢ ἀφεῖναι, οὐδ' ἐννόμως ζημιωθεῖς
 εὐλόγως ἂν ὤφειλον· εἰ δ' ἔξεστι μὲν αὐτοῖς
 ἀφεῖναι, διδόασι δὲ εὐθύνας ὑπὲρ ὧν ἂν διαχειρί-
 ζωσιν, εἰ τι ἡδίκηκασι, τῆς προσηκούσης ῥαδίως 70
 δίκης τεύξονται.

§ 4. *The real reason of their persecution was my friend-
 ship with Sostratus, a friendship which I never abused to
 serve my private ends. This was the origin of the
 trumped-up charge of "speaking evil of magistrates,"
 which shows equal contempt for the people and for justice.*

13 Ὡς μὲν τρόπῳ παρεδόθην καὶ ἐξημιώθην,
 ἐπίστασθε· δεῖ δ' ὑμᾶς μὴ μόνον τοῦ ἐγκλήματος
 τὴν αἰτίαν ἀλλὰ καὶ τῆς ἔχθρας τὴν πρόφασιν
 εἰδέναι. Σωστράτῳ γὰρ φίλος ἐγενόμην πρότερον 75
 μὲν τῆς τούτων ἔχθρας, εἰδὼς δὲ περὶ τὴν πόλιν
 14 ἄξιον λόγου γεγενημένον. γινώριμος δὲ γενόμενος
 διὰ τῆς ἐκείνου δυναστείας οὗτ' ἐχθρὸν ἐτιμωρη-
 σάμην οὔτε φίλον εὐηργέτησα· ζῶντος μὲν γὰρ
 διὰ τὴν ἀνάγκην καὶ διὰ τὴν ἡλικίαν ἐσχόλαζον, 80
 ἐκλιπόντος δὲ τὸν βίον οὔτε λόγῳ οὔτε ἔργῳ
 ἔβλαψα οὐδένα τῶν κατηγορούντων, ἔχω δὲ καὶ
 τοιαῦτα εἰπεῖν, ἐξ ὧν ὠφελοίμην ἂν πολὺ
 δικαιότερον ὑπὸ τῶν ἀντιδίκων ἢ κακῶς πάσχοιμι.

85 τὴν μὲν οὖν ὀργὴν διὰ τὰ προειρημένα συνε- 15
 στήσαντο, προφάσεως οὐδεμιᾶς πρὸς ἔχθραν
 ὑπαρχούσης. ὁμόσαντες μὲν οὖν τοὺς ἀστρατεύ-
 τους καταλέξειν παρέβησαν τοὺς ὅρκους, προὔ-
 θεσαν δὲ τῷ πλήθει βουλευσασθαι περὶ τοῦ
 90 σώματος, ζημιώσαντες μὲν ὡς τὴν ἀρχὴν λοιδο- 16
 ροῦντα, κατολιγωρήσαντες δὲ τοῦ δικαίου, βια-
 ζόμενοι βλάπτειν ἐξ ἅπαντος λόγου· τί δ' ἂν
 ἔπραξαν μέλλοντες μεγάλα μὲν ἐμὲ βλάψειν,
 πολλὰ δ' ἑαυτοὺς ὠφελῆσειν, οἵτινες οὐδετέρου
 95 τούτων ὑπάρχοντος πάντα περὶ ἐλάττονος ποιοῦν-
 ται τοῦ ἀδίκου. ἀλλὰ γὰρ κατεφρόνησαν τοῦ 17
 ὑμετέρου πλήθους, οὐδὲ φοβηθῆναι τοὺς θεοὺς
 ἠξίωσαν, ἀλλ' οὕτως ὀλιγώρως καὶ παρανόμως
 προσηνέχθησαν, ὥστε ἀπολογήσασθαι μὲν περὶ
 100 τῶν πεπραγμένων οὐδ' ἐπεχείρησαν, τὸ δὲ τελευ-
 ταῖον, νομίζοντες οὐχ ἱκανῶς με τετιμωρῆσθαι,
 τὸ πέρας ἐκ τῆς πόλεως ἐξήλασαν. διατεθέντες 18
 δὲ οὕτω παρανόμως καὶ βιαίως, ἐπικρύψασθαι
 τὴν ἀδικίαν περὶ οὐδενὸς ἐποιήσαντο, παραγαγόν-
 105 τες δὲ πάλιν περὶ τῶν αὐτῶν ἡδίκηκότα με οὐδὲν
 ἐπιδεικνύουσι καὶ λοιδοροῦσι, τοῖς μὲν ἐμοῖς
 ἐπιτηδεύμασιν οὐ προσηκούσας διαβολὰς ἐπι-
 φέροντες, τοῖς δ' αὐτῶν τρόποις τὰς οἰκείας καὶ
 συνήθεις.

§ 5. *I don't so much complain of them : it is natural to do evil to one's enemies. But I look for redress from you, and your determination not to let private enmity affect the administration of justice. On your decision depends my being able to remain in the city.*

- 19 Οἷδε μὲν οὖν ἐκ παντὸς τρόπου προθυ- 110
 μούνται με τῇ δίκῃ ἀλῶναι· ὑμεῖς δὲ μήτε
 ταῖς τούτων διαβολαῖς ἐπαρθέντες ἐμοῦ κατα-
 ψηφίσθησθε, μήτε τοὺς βέλτιον καὶ δικαίως
 βουλευσαμένους ἀκύρους καταστήσητε. οἷδε μὲν
 γὰρ ἅπαντα καὶ κατὰ τοὺς νόμους καὶ κατὰ τὸ 115
 εἰκὸς ἔπραξαν, καὶ ἡδίκηκότες μὲν οὐδὲν φαίνονται,
 λόγον δὲ πλείστον τοῦ δικαίου ποιησάμενοι.
- 20 τούτων μὲν οὖν ἀδικούντων μετρίως ἂν ἡγανάκ-
 τουν, ἡγούμενος τετάχθαι τοὺς μὲν ἐχθροὺς κακῶς
 ποιεῖν, τοὺς δὲ φίλους εὖ· παρ' ὑμῶν δὲ τοῦ 120
 δικαίου στερηθεὶς πολὺ ἂν μᾶλλον λυπηθείην.
 δι' ἐχθραν μὲν γὰρ οὐ δόξω κακῶς πεπονθέναι,
- 21 διὰ κακίαν δὲ τῆς πόλεως.² λόγῳ μὲν οὖν
 περὶ τῆς ἀπογραφῆς ἀγωνίζομαι, ἔργῳ δὲ περὶ
 πολιτείας. τυχῶν μὲν γὰρ τῶν δικαίων (πιστεύω 125
 δὲ τῇ ὑμετέρᾳ γνώμῃ) μείναιμι ἂν ἐν τῇ πόλει·
 παραχθὲς³ δὲ ὑπὸ τῶνδε εἰ ἀδίκως ἀλοίην,
 ἀποδραίην ἄν. τίνι γὰρ ἐπαρθέντα ἐλπίδι δεῖ
 με συμπολιτεύεσθαι, ἢ τί με χρὴ διανοηθέντα,
 εἰδότα μὲν τῶν ἀντιδίκων τὴν προθυμίαν, ἀπο- 130
 ροῦντα δ' ὅθεν χρὴ τῶν δικαίων τινὸς τυχεῖν ;
- 22 περὶ πλείστον οὖν ποιησάμενοι τὸ δίκαιον, καὶ
 ἐνθυμηθέντες ὅτι καὶ ὑπὲρ τῶν περιφανῶν ἀδι-
 κημάτων συγγνώμην ποιεῖσθε, τοὺς μηδὲν ἀδι-
 κήσαντας δι' ἰδίας ἐχθρας μὴ περιίδητε ἀδίκως 135
 τοῖς μεγίστοις ἀτυχήμασι περιπεσόντας.

² *Reiske, Baitter, Scheibe* στερηθῆναι vel ἐκπεσεῖν addere volunt. Fortasse ἄτιμος εἶναι : cf. Orat. v. 149, hujus editionis.

³ MS. παραχθεις. *Madvig* vult σπαραχθεις. *Advers. Crit.*, p. 453. παραχθεις 'adductus in iudicium' : cf. Orat. vi. § 32.

ORATION IV. [10.]

FOR THE PROSECUTION, AGAINST THEOMNESTUS
ON A CHARGE OF SLANDER.

§ 1. *Many of you were present when Theomnestus accused me of killing my father. For this slander I appeal to you to punish him.*

Μαρτύρων μὲν οὐκ ἀπορίαν μοι ἔσεσθαι
δοκῶ, ὦ ἄνδρες δικασταί· πολλοὺς γὰρ ὑμῶν
ὁρῶ δικάζοντας τῶν τότε παρόντων, ὅτε Λυσίθεος
Θεόμνηστον εἰσήγγελλε τὰ ὄπλα ἀποβεβληκότα,
5 οὐκ ἐξὸν αὐτῷ, δημηγορεῖν· ἐν ἐκείνῳ γὰρ τῷ
ἀγῶνι τὸν πατέρα μ' ἔφασκεν ἀπεκτονέναι τὸν
ἐμαυτοῦ. ἐγὼ δ', εἰ μὲν τὸν ἑαυτοῦ με ἀπεκτονέναι 2
ἤτιᾱτο, συγγνώμην ἂν εἶχον αὐτῷ τῶν εἰρημένων
(φαῦλον γὰρ αὐτὸν καὶ οὐδενὸς ἄξιον ἡγούμεν).
10 οὐδ' εἴ τι ἄλλο τῶν ἀπορρήτων ἤκουσα, οὐκ ἂν
ἐπεξῆλθον αὐτῷ (ἀνελεύθερον γὰρ καὶ λαν
φιλόδικον εἶναι νομίζω κακηγορίας δικάζεσθαι).
νυνὶ δέ αἰσχρόν μοι εἶναι δοκεῖ περὶ τοῦ πατρός, 3
οὕτω πολλοῦ ἀξίου γεγεννημένου καὶ ὑμῖν καὶ τῇ
15 πόλει, μὴ τιμωρήσασθαι τὸν ταῦτ' εἰρηκότα. καὶ
παρ' ὑμῶν εἶδέναι βούλομαι πότερον δώσει δίκην,
ἢ τούτῳ μόνῳ Ἀθηναίων ἐξαίρετόν ἐστι καὶ ποιεῖν
καὶ λέγειν παρὰ τοὺς νόμους ὃ τι ἂν βούληται.

§ 2. *I was only thirteen when my father was killed, and I had every motive to wish him to live, for my elder brother seized his property, and as my guardian deprived me of all share in it.*

4 Ἐμοὶ γάρ, ὦ ἄνδρες δικασταί, ἔτη ἐστὶ¹
 τριάκοντα τρία, ἔξ ὅτου δ' ὑμεῖς κατεληλύθατε 20
 εἰκοστὸν τουτί. φαίνομαι οὖν τρισκαιδεκέτης
 ὦν ὅτε ὁ πατήρ ὑπὸ τῶν τριάκοντα ἀπέθνησκε.
 ταύτην δὲ ἔχων τὴν ἡλικίαν οὔτε τί² ἐστὶν
 ὀλιγαρχία ἡπιστάμην, οὔτε ἂν ἐκείνῳ ἀδικουμέ-
 5 νῳ ἐδυνάμην βοηθῆσαι. καὶ μὲν δὴ οὐκ ὀρθῶς 25
 τῶν χρημάτων ἔνεκα ἐπεβούλευσα ἂν αὐτῷ· ὁ
 γὰρ πρεσβύτερος ἀδελφὸς Πανταλέων ἅπαντα
 παρέλαβε, καὶ ἐπιτροπεύσας ἡμᾶς τῶν πατρῶων
 ἀπεστέρησεν, ὥστε πολλῶν ἔνεκα, ὦ ἄνδρες
 δικασταί, προσήκέ μοι αὐτὸν βούλεσθαι ζῆν. 30
 ἀνάγκη μὲν οὖν περὶ αὐτῶν μνησθῆναι, οὐδὲν δὲ δεῖ
 πολλῶν λόγων· σχεδὸν ἐπίστασθε ἅπαντες ὅτι
 ἀληθὴ λέγω. ὅμως δὲ μάρτυρας αὐτῶν παρέξομαι.

EVIDENCE OF ABOVE FACTS PUT IN.

§ 3. *My opponent will not controvert these facts, but will plead that what he said was that I "killed" my father, whereas the law forbids one to call another a "homicide." But this quibble will not hold good, and in fact the terms he used are those employed in trials of murder in the Areopagus. And he himself once prosecuted Theon for saying of him that he "ἔρριφέναι τὴν ἀσπίδα," though in the law the word used is "ἀποβεβληκέναί."*

6 Ἴσως τοίνυν, ὦ ἄνδρες δικασταί, περὶ τούτων
 μὲν οὐδὲν ἀπολογήσεται, ἐρεῖ δὲ πρὸς ὑμᾶς 35
 ἅπερ ἐτόλμα λέγειν καὶ πρὸς τὸν διαιτητὴν, ὡς
 οὐκ ἐστὶ τῶν ἀπορρήτων, εἰάν τις τιν' εἴπῃ τὸν
 πατέρα ἀπεκτονέναί· τὸν γὰρ νόμον οὐ ταύτ'

¹ ἐστὶ ego dedi. al. εἰσι.

² MSS. οὐτ' εἰ ἐστίν. *Μαδν.* et alii correxerunt.

ἀπαγορεύειν, ἀλλ' ἀνδροφόνον οὐκ ἐάν λέγειν.
 40 ἐγὼ δ' οἶμαι δεῖν ὑμᾶς, ὦ ἄνδρες δικασταί, οὐ 7
 περὶ τῶν ὀνομάτων διαφέρεισθαι ἀλλὰ τῆς τούτων
 διανοίας, καὶ πάντας εἰδέναι ὅτι, ὅσοι ἀπεκτόνασί
 τινας, καὶ ἀνδροφόνου τῶν αὐτῶν εἰσι, καὶ ὅσοι
 ἀνδροφόνου εἰσί, καὶ ἀπεκτόνασί τινας. πολὺ
 45 γὰρ ἂν ἔργον ἦν τῷ νομοθέτῃ ἅπαντα τὰ ὀνόματα
 γράφειν, ὅσα τὴν αὐτὴν δύναμιν ἔχει· ἀλλὰ περὶ 8
 ἑνὸς εἰπὼν περὶ πάντων ἐδήλωσεν. οὐ γὰρ
 δήπου, ὦ Θεόμνηστε, εἰ μὲν τίς σ' εἴποι πατ-
 ραλοῖαν ἢ μητραλοῖαν, ἡξίους ἂν αὐτὸν ὀφλεῖν
 50 σοὶ δίκην, εἰ δέ τις εἴποι ὥς τὴν τεκοῦσαν ἢ τὸν
 φύσαντα ἔτυπτες, ᾧ ἂν αὐτὸν ἀξήμιον δεῖν
 εἶναι ὥς οὐδὲν τῶν ἀπορρήτων εἰρηκότα. ἡδέως 9
 γὰρ ἂν σου πυθοίμην (περὶ τοῦτο γὰρ δεινὸς
 εἶ καὶ μεμελέτηκας καὶ ποιεῖν καὶ λέγειν)· εἴ τίς
 55 σε εἴποι ῥίψαι τὴν ἀσπίδα, ἐν δὲ τῷ νόμῳ εἴρητο,
 ἐάν τις φάσκη ἀποβεβληκέναι, ὑπόδικον εἶναι,
 οὐκ ἂν ἐδικάζου αὐτῷ, ἀλλ' ἐξήρκει ἂν σοὶ
 ἐρριφέναι τὴν ἀσπίδα λέγοντι “ οὐδὲν μοι μέλει·³
 οὐδὲ γὰρ τὸ αὐτό ἐστὶ ῥίψαι καὶ ἀποβεβληκέναι;”
 60 ἀλλ' οὐδ' ἂν τῶν ἑνδεκα γενόμενος ἀποδέξαιο, 10
 εἴ τις ἀπάγοι τινὰ φάσκων θοιμάτιον ἀποδεδύσθαι
 ἢ τὸν χιτωνίσκον ἐκδεδύσθαι, ἀλλ' ἀφείης ἂν τὸν
 αὐτὸν τρόπον, ὅτι οὐ λωποδύτης ὀνομάζεται.
 οὐδ' εἴ τις παῖδα ἐξαγαγὼν ληφθείη, οὐκ ἂν
 65 φάσκοις αὐτὸν ἀνδραποδιστὴν εἶναι, εἴπερ μαχῇ
 τοῖς ὀνόμασιν, ἀλλὰ μὴ τοῖς ἔργοις τὸν νοῦν
 προσέξεις, ὧν ἕνεκα τὰ ὀνόματα πάντες τίθενται.

³ MS. οὐδὲν σοὶ μέλει. Correxuit Scheibe pro λέγοντι. Francken vult ἀκούοντι.

- 11 Ἐτι τοίνυν σκέψασθε, ὦ ἄνδρες δικασταί·
 οὗτοσὶ γάρ μοι δοκεῖ ὑπὸ ῥαθυμίας καὶ μαλακίας
 οὐδ' εἰς Ἄρειον πάγον ἀναβεβηκέναι. πάντες 70
 γὰρ ἐπίστασθε ὅτι ἐν ἐκείνῳ τῷ χωρίῳ, ὅταν τὰς
 τοῦ φόνου δίκας δικάζωνται, οὐ διὰ τούτου τοῦ
 ὀνόματος τὰς διωμοσίας ποιοῦνται, ἀλλὰ δι'
 οὐπερ ἐγὼ κακῶς ἀκήκοα· ὁ μὲν γὰρ διώκων
 ὥς ἔκτεινε διόμνυται, ὁ δὲ φεύγων ὥς οὐκ 75
 12 ἔκτεινεν. οὐκοῦν ἄτοπον ἂν εἴη [ἀφεῖναι]⁴ τὸν
 δόξαντα κτεῖναι φάσκοντα ἀνδροφόνον εἶναι, ὅτι
 ὁ διώκων, ὥς ἔκτεινε, τὸν φεύγοντα διωμόσατο.
 τί γὰρ ταῦτα, ὧν οὗτος ἐρεῖ, διαφέρει; καὶ
 αὐτὸς μὲν Θέωνι κακηγορίας ἐδικάσω εἰπόντι σε 80
 ἐρριφέναι τὴν ἀσπίδα. καίτοι περὶ μὲν τοῦ
 ῥῖψαι οὐδὲν ἐν τῷ νόμῳ εἴρηται, ἐὰν δέ τις εἴπη
 ἀποβεβληκέναι τὴν ἀσπίδα, πεντακοσίας δραχμὰς
 13 ὀφείλκειν κελεύει. οὐκ οὖν δεινόν, εἰ ὅταν μὲν
 δέῃ σέ* κακῶς ἀκούσαντα τοὺς ἐχθροὺς τιμωρεῖσ- 85
 θαι, οὕτω τοὺς νόμους ὥσπερ ἐγὼ νῦν λαμβάνειν,
 ὅταν δ' ἕτερον παρὰ τοὺς νόμους εἴπῃς κακῶς,
 οὐκ ἀξιοῖς δοῦναι δίκην; πότερον οὕτως σὺ
 δεινὸς εἶ ὥστε, ὅπως ἂν βούλῃ, οἷός τ' εἰ χρῆσθαι
 τοῖς νόμοις, ἢ τοσοῦτον δύνασαι ὥστε οὐδέποτε 90
 οἷει τοὺς ἀδικουμένους ὑπὸ σοῦ τιμωρίας τεύ-
 14 ξεσθαι; εἰτ' οὐκ αἰσχύνῃ οὕτως ἀνοήτως δια-
 κείμενος, ὥστε οὐκ ἐξ ὧν εὖ πεποίηκας τὴν πόλιν,
 ἀλλ' ἐξ ὧν ἀδικῶν οὐ δέδωκας δίκην, οἷει δεῖν
 πλεονεκτεῖν; Καὶ μοι ἀνάγνωθι τὸν νόμον. 95

⁴ ἀφεῖναι hic scribere vult Scheiße. Al. ἀποφεύγειν post κτεῖναι interponunt. * W. δοκῇ σοι . . ἀκούσαντι.

LAW PUT IN, WHICH MAKES THE ACCUSATION OF
THROWING AWAY ONE'S SHIELD SLANDER.

§ 4. *I will now quote old laws still in force though the actual expressions are obsolete and not in use.*

Ἐγὼ τοίνυν, ὦ ἄνδρες δικασταί, ὑμᾶς μὲν 15
πάντας εἰδέναι ἡγοῦμαι ὅτι ἐγὼ μὲν ὀρθῶς λέγω,
τούτον δὲ οὕτω σκαιὸν εἶναι ὥστε οὐ δύνασθαι
μαθεῖν τὰ λεγόμενα. βούλομαι οὖν αὐτὸν καὶ
100 ἐξ ἐτέρων νόμων περὶ τούτων διδάξαι, ἅν πως
ἀλλὰ νῦν ἐπὶ τοῦ βήματος παιδευθῇ καὶ τὸ λοιπὸν
ἡμῖν μὴ παρέχῃ πράγματα. Καί μοι ἀνάγνωθι
τούτους τοὺς νόμους τοὺς Σόλωνος τοὺς παλαιούς.

ΝΟΜΟΣ. ΔΕΔΕΣΘΑΙ Δ' ΕΝ ΤΗ ΠΟΔΟΚΑΚΚΗ 16
105 ἩΜΕΡΑΣ ΠΕΝΤΕ ΤΟΝ ΠΟΔΑ, ΕΑΝ ΠΡΟΣΤΙΜΗΣΗ Ἡ
ἩΛΙΑΙΑ.

Ἡ ΠΟΔΟΚΑΚΚΗ ταυτό ἐστίν, ὦ Θεόμνηστε, ὃ
νῦν καλεῖται ἐν τῷ ξύλῳ δεδέσθαι. εἰ οὖν ὁ
δεθεὶς ἐξελθὼν ἐν ταῖς εὐθύναις τῶν ἔνδεκα
110 κατηγοροίῃ ὅτι οὐκ ἐν τῇ ΠΟΔΟΚΑΚΚΗ ἐδέδετο
ἀλλ' ἐν τῷ ξύλῳ, οὐκ ἂν ἡλίθιον αὐτὸν νομίζοιεν ;
Λέγε ἕτερον νόμον.

ΝΟΜΟΣ. ἘΠΕΓΓΤΑΝ Δ' ΕΠΙΟΡΚΗΣΑΝΤΑ ΤΟΝ 17
ΑΠΟΛΛΩ ΔΕΔΙΟΤΑ ΔΕ ΔΙΚΗΣ ἘΝΕΚΑ ΔΡΑΣΚΑΖΕΙΝ.
115 Τοῦτο τὸ ΕΠΙΟΡΚΗΣΑΝΤΑ ὁμόσαντά ἐστι, τὸ δὲ
ΔΡΑΣΚΑΖΕΙΝ, ὃ νῦν ἀποδιδράσκειν ὀνομάζομεν.

ὍΣΤΙΣ ΔΕ ΑΠΙΛΛΕΙ ΤΗΙ ΘΥΡΑΙ, ΕΝΔΟΝ ΤΟΥ ΚΛΕΠ-
ΤΟΥ ΟΝΤΟΣ.

Τὸ ΑΠΙΛΛΕΙΝ τὸ ἀποκλείειν νομίζεται, καὶ
120 μῆδὲν διὰ τοῦτο διαφέρει.

18 ΤΟ ΑΡΓΥΡΙΟΝ ΣΤΑΣΙΜΟΝ ΕΙΝΑΙ ΕΦ' ὍΠΟΣΩΙ ΑΝ
ΒΟΥΛΗΤΑΙ Ὁ ΔΑΝΕΙΖΩΝ.

Τὸ ΣΤΑΣΙΜΟΝ τοῦτὸ ἐστίν, ὃ βέλτιστε, οὐ ζυγῶ
ιστάναι ἀλλὰ τόκον πράττεσθαι ὁπόσον ἂν βούλη-
ται. Ἐπανάγνωθι τουτουὶ τοῦ νόμου τὸ τελευταῖον. 125

19 ὍΣΑΙ ΔΕ ΠΕΦΑΣΜΕΝΩΣ ΠΟΛΟΥΝΤΑΙ,

καὶ

ΟΙΚΗΟΣ ΚΑΙ ΔΟΥΛΗΣ ΤΗΝ ΒΛΑΒΗΝ ΕΙΝΑΙ ΟΦΕΙ-
ΛΕΙΝ.

Προσέχετε τὸν νοῦν. τὸ μὲν ΠΕΦΑΣΜΕΝΩΣ 130
ἐστὶ φανερώς, ΠΟΛΕΙΣΘΑΙ δὲ βαδίζειν, τὸ δὲ
ΟΙΚΗΟΣ θεράποντος. πολλὰ δὲ τοιαῦτα καὶ ἄλλα
20 ἐστίν, ὃ ἄνδρες δικασταί. ἀλλ' εἰ μὴ σιδηροῦς
ἐστίν, οἶομαι αὐτὸν ἔννουν γεγονέναι⁵ ὅτι τὰ μὲν
πράγματα ταῦτά ἐστι νῦν τε καὶ πάλαι, τῶν 135
δὲ ὀνομάτων ἐνίοις οὐ τοῖς αὐτοῖς χρώμεθα νῦν
τε καὶ πρότερον.

§ 5. *He will probably confess his defeat by his silence. But if not, consider how much more serious to me it is to be condemned of parricide, as I shall be if I lose this suit, than to him to have been convicted of throwing away his shield: and yet he obtained satisfaction for that charge. Besides, the untruth of the charge against me is patent; and the cruelty of the charge is enhanced by the eminent and patriotic character of my father, contrasted with the notorious cowardice of my assailant.*

δηλώσει δέ· οἰχήσεται γὰρ ἀπὸ τοῦ
21 βήματος σιωπῇ. εἰ δὲ μὴ, δέομαι ὑμῶν, ὃ
ἄνδρες δικασταί, τὰ δίκαια ψηφίσασθαι, ἐνθυ- 140
μουμένους ὅτι πολὺ μείζον κακὸν ἐστίν ἀκοῦσαί
τινα τὸν πατέρα ἀπεκτονέναι ἢ τὴν ἀσπίδα

⁵ Cobet scribit νῦν γ' ἐγνωκέναι.

- ἀποβεβληκέναι. ἐγὼ γοῦν δεξαίμην ἂν πάσας
 τὰς ἀσπίδας ἐρριφέναι ἢ τοιαύτην γνώμην ἔχειν
 145 περὶ τὸν πατέρα. οὗτος οὖν ἔνοχος μὲν ὦν τῇ 22
 αἰτία, ἐλάττονος δὲ οὔσης αὐτῷ τῆς συμφορᾶς,
 οὐ μόνον ὑφ' ὑμῶν ἠλεήθη, ἀλλὰ καὶ τὸν μαρ-
 τυρήσαντα ἠτίμωσεν. ἐγὼ δὲ ἑωρακὼς μὲν ἐκείνο
 τοῦτον ποιήσαντα ὃ καὶ ὑμεῖς ἴστε, αὐτὸς δὲ
 150 σώσας τὴν ἀσπίδα, ἀκηκοὼς δὲ οὕτως ἄνομον
 καὶ δεινὸν πρᾶγμα, μεγίστης δὲ οὔσης μοι τῆς
 συμφορᾶς, εἰ ἀποφεύξεται, τούτῳ δ' οὐδενὸς
 ἀξίας, εἰ κακηγορίας ἀλώσεται, οὐκ ἄρα δίκην
 παρ' αὐτοῦ λήψομαι; τίνος ὄντος ἐμοὶ πρὸς
 155 ὑμᾶς ἐγκλήματος; πότερον ὅτι δικαίως ἀκήκοα; 23
 ἀλλ' οὐδ' ἂν αὐτοὶ φήσαιτε. ἀλλ' ὅτι βελτίων
 καὶ ἐκ βελτιόνων ὁ φεύγων ἐμοῦ; ἀλλ' οὐδ' ἂν
 αὐτὸς ἀξιώσειεν. ἀλλ' ὅτι ἀποβεβληκὼς τὰ
 ὄπλα δικάζομαι κακηγορίας τῷ σώσαντι; ἀλλ'
 160 οὐχ οὗτος ὁ λόγος ἐν τῇ πόλει κατεσκέδασται.
 ἀναμνήσθητε δὲ ὅτι μεγάλην καὶ καλὴν ἐκείνην 24
 δωρεὰν αὐτῷ δεδώκατε· ἐν ἧ⁶ τίς οὐκ ἂν ἐλεήσειε
 Διονύσιον, τοιαύτη μὲν συμφορὰ περιπεπτωκότα,
 ἄνδρα δὲ ἄριστον ἐν τοῖς κινδύνοις γεγεννημένον,
 165 ἀπιόντα δὲ ἀπὸ τοῦ δικαστηρίου λέγοντα ὅτι 25
 δυστυχεστάτην ἐκείνην εἴημεν στρατεῖαν ἐστρα-
 τευμένοι, ἐν ἧ πολλοὶ μὲν ἡμῶν ἀπέθανον, οἱ δὲ
 σώσαντες τὰ ὄπλα ὑπὸ τῶν ἀποβαλόντων ψευ-
 δομαρτυριῶν ἐαλώκασι, κρεῖττον δὲ ἦν αὐτῷ τότε
 170 ἀποθανεῖν ἢ οἴκαδ' ἐλθόντι τοιαύτη τύχῃ χρῆσ-
 θαι; μὴ τοίνυν ἀκούσαντα Θεόμνηστον κακῶς 26
 τὰ προσήκοντα ἐλεεῖτε, μηδ' ὑβρίζοντί τε καὶ

⁶ Pro ἐκείνην δωρεὰν *Francken* conj. νίκην, et pro ἐν ἧ aut ἐν
 ᾧ (*Emperius*) aut ἡ.

λέγοντι παρὰ τοὺς νόμους συγγνώμην ἔχετε.
 τίς γὰρ ἂν ἐμοὶ μείζων ταύτης γένοιτο συμφορά,
 περὶ τοιούτου πατρὸς οὕτως αἰσχροῦς αἰτίας 175
 27 ἀκηκοότι; ὃς πολλάκις μὲν ἐστρατήγησε, πολ-
 λούς δὲ καὶ ἄλλους κινδύνους μεθ' ὑμῶν ἐκινδύ-
 νευσε· καὶ οὔτε τοῖς πολεμίοις τὸ ἐκείνου σῶμα
 ὑποχείριον ἐγένετο, οὔτε τοῖς πολίταις οὐδεμίαν
 πώποτε ὠφλεν εὐθύνην, ἔτη δὲ γεγονὼς ἑπτὰ καὶ 180
 ἐξήκοντα ἐν ὀλιγαρχίᾳ δι' εὐνοίαν τοῦ ὑμετέρου
 28 πλήθους ἀπέθανεν. ἄρ' ἄξιον ὀργισθῆναι τῷ
 εἰρηκότι καὶ βοηθήσαι τῷ πατρί, ὡς καὶ ἐκείνου
 κακῶς ἀκηκοότος; τί γὰρ ἂν τούτου ἀνιαιρότερον
 γένοιτο αὐτῷ, ἢ τεθνάναι μὲν ὑπὸ τῶν ἐχθρῶν, 185
 αἰτίαν δ' ἔχειν ὑπὸ τῶν παίδων ἀνηρῆσθαι;⁷ οὐ
 ἔτι καὶ νῦν, ὦ ἄνδρες δικασταί, τῆς ἀρετῆς τὰ
 μνημεῖα πρὸς τοῖς ὑμετέροις ἱεροῖς⁷ ἀνάκειται,
 τὰ δὲ τούτου καὶ τοῦ τοῦτου πατρὸς τῆς κακίας
 πρὸς τοῖς τῶν πολεμίων· οὕτω σύμφυτος αὐτοῖς 190
 29 ἡ δειλία. καὶ μὲν δῆ, ὦ ἄνδρες δικασταί, ὅσφ
 μείζους εἰσὶ καὶ νεανῖαι τὰς ὄψεις, τοσούτῳ
 μᾶλλον ὀργῆς ἄξιοί εἰσι· δῆλον γὰρ ὅτι τοῖς μὲν
 σώμασι δύνανται, ταῖς δὲ ψυχαῖς οὐκ ἰσχύουσιν.⁸

§ 6. *If he pleads that his words were spoken in the anger of a moment, I reply that the law does not recognise that excuse. And remember, that on gaining this suit really depends my being cleared of a charge of parricide.*

30 Ἀκούω δ' αὐτόν, ὦ ἄνδρες δικασταί, ἐπὶ 195
 τοῦτον τὸν λόγον τρέψεσθαι, ὡς ὀργισθεὶς εἴρηκε

⁷ ἀνηρῆσθαι . . ἱεροῖς addunt Scheide et al. ex oratione [xi.] quæ hujus epitome est.

⁸ ταῖς δὲ ψυχαῖς Westermann pro τὰς δὲ ψυχὰς οὐκ ἔχουσι.

ταῦτα ἐμοῦ μαρτυρήσαντος τὴν αὐτὴν μαρτυρίαν
 Διονυσίῳ. ὑμεῖς δ' ἐνθυμεῖσθε, ὦ ἄνδρες δικασταί,
 ὅτι ὁ νομοθέτης οὐδεμίαν ὀργὴν συγγνώμην δίδω-
 200 σιν, ἀλλὰ ζημιοῖ τὸν λέγοντα, ἐὰν μὴ ἀποφαίνῃ
 ὥς ἐστιν ἀληθὴ τὰ εἰρημένα. ἐγὼ δὲ δις ἤδη
 περὶ τούτου μεμαρτύρηκα· οὐ γάρ πω ἤδειν ὅτι
 ὑμεῖς τοὺς μὲν ἰδόντας τιμωρεῖσθε, τοῖς δὲ ἀπο-
 βαλοῦσι συγγνώμην ἔχετε. Περὶ μὲν οὖν 31
 205 τούτων οὐκ οἶδ' ὅ τι δεῖ πλείω λέγειν· ἐγὼ δ'
 ὑμῶν δέομαι καταψηφίσασθαι Θεομνήστου, ἐν-
 θυμουμένους ὅτι οὐκ ἂν γένοιτο τούτου μείζων
 ἄγών μοι. νῦν γὰρ διώκω μὲν κακηγορίας, τῇ
 δ' αὐτῇ ψήφῳ φόνου φεύγω τοῦ πατρός, ὃς μόνος,
 210 ἐπειδὴ τάχιστα ἐδοκιμάσθην, ἐπεξῆλθον τοῖς
 τριάκοντα ἐν Ἀρείῳ πάγῳ. ὧν μεμνημένοι καὶ 32
 ἐμοὶ καὶ τῷ πατρὶ βοηθήσατε καὶ τοῖς νόμοις
 τοῖς κειμένοις καὶ τοῖς ὅρκοις οἷς ὁμωμόκατε.

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ORATION V. [12.]

FOR THE PROSECUTION; AGAINST ERATOSTHENES,
 WHO HAD BEEN ONE OF THE THIRTY, FOR THE
 MURDER OF POLEMARCHUS.

§ 1. *There is no want of matter for speech. Rather, there is too much for the time allowed me. My only fear is that from inexperience I may fail to do justice to the cause.*

Οὐκ ἄρξασθαί μοι δοκεῖ ἄπορον εἶναι, ὦ ἄνδρες δικασταί, τῆς κατηγορίας, ἀλλὰ παύσασθαι λέγοντι· τοιαῦτα αὐτοῖς τὸ μέγεθος καὶ τοσαῦτα

τὸ πλῆθος εἵργασται, ὥστε μήτ' ἂν ψευδόμενον
 δεινότερα τῶν ὑπαρχόντων κατηγορήσαι, μήτε 5
 τάληθῇ βουλούμενον εἰπεῖν ἅπαντα δύνασθαι, ἀλλ'
 ἀνάγκη ἢ τὸν κατήγορον ἀπειπεῖν ἢ τὸν χρόνον
 2 ἐπιλιπεῖν. τοῦναντίον δέ μοι δοκοῦμεν πείσεσθαι
 ἢ ἐν τῷ πρὸ τοῦ χρόνῳ. πρότερον μὲν γὰρ ἔδει
 τὴν ἔχθραν τοὺς κατηγοροῦντας ἐπιδεῖξαι, ἥτις 10
 εἶη πρὸς τοὺς φεύγοντας· νυνὶ δὲ παρὰ τῶν
 φευγόντων χρή πυνθάνεσθαι ἥτις ἦν αὐτοῖς πρὸς
 τὴν πόλιν ἔχθρα, ἀνθ' ὅτου τοιαῦτα ἐτόλμησαν
 εἰς αὐτὴν ἐξαμαρτάνειν. οὐ μέντοι ὥς οὐκ ἔχων
 οἰκείας ἔχθρας καὶ συμφορὰς τοὺς λόγους ποιοῦ- 15
 μαι, ἀλλ' ὥς ἅπασι πολλῆς ἀφθονίας οὔσης ὑπὲρ
 τῶν ιδίων ἢ ὑπὲρ τῶν δημοσίων ὀργίζεσθαι. ✓
 3 ἐγὼ μὲν οὖν, ὧ ἄνδρες δικασταί, οὐτ' ἐμαυτοῦ
 πώποτε οὔτε ἀλλότρια πράγματα πράξας νῦν
 ἠνάγκασμαι ὑπὸ τῶν γεγενημένων τούτου κατη- 20
 γορεῖν, ὥστε πολλάκις εἰς πολλὴν ἀθυμίαν
 κατέστην, μὴ διὰ τὴν ἀπειρίαν ἀναξίως καὶ μνηστήριον
 ἀδυνάτως ὑπὲρ τοῦ ἀδελφοῦ καὶ ἐμαυτοῦ τὴν κατη-
 γορίαν ποιήσωμαι.¹ ὅμως δὲ πειράσομαι ὑμᾶς
 ἐξ ἀρχῆς ὥς ἂν δύνωμαι δι' ἐλαχίστων διδάξαι. 25

§ 2. *My family were settlers in Athens, and lived there harmlessly and unmolested until the usurpation of the Thirty, who, on the instigation of Theognis and Pison, resolved to enrich their revenues by the murder and confiscation of certain aliens. I and my brother were among the first victims. I managed to escape to Megara. But Polemarchus, my brother, was executed without trial, and*

¹ ποιήσωμαι, Codex x.

all our goods were confiscated. Our fate was that of many others.

(Οὐμὸς πατὴρ Κέφαλος ἐπείσθη μὲν ὑπὸ 4
 Περικλέους εἰς ταύτην τὴν γῆν ἀφικέσθαι, ἔτη
 δὲ τριάκοντα ᾤκησε, καὶ οὐδενὶ πώποτε οὔτε
 ἡμεῖς οὔτε ἐκεῖνος δίκην οὔτε ἐδίκασάμεθα οὔτε
 30 ἐφύγομεν, ἀλλ' οὕτως ᾠκοῦμεν δημοκρατούμενοι
ὥστε μήτε εἰς τοὺς ἄλλους ἐξαμαρτάνειν μήτε
 ὑπὸ τῶν ἄλλων ἀδικεῖσθαι.) ἐπειδὴ δ' οἱ τριά- 5
 κοντα πονηροὶ καὶ συκοφάνται ὄντες εἰς τὴν
 ἀρχὴν κατέστησαν, φάσκοντες χρῆναι τῶν
 35 ἀδίκων καθαρὰν ποιῆσαι τὴν πόλιν καὶ τοὺς
 λοιποὺς πολίτας ἐπ' ἀρετὴν καὶ δικαιοσύνην
τραπέσθαι, τοιαῦτα λέγοντες οὐ τοιαῦτα ποιεῖν
 ἐτόλμων, ὥς ἐγὼ περὶ τῶν ἑμαυτοῦ πρῶτον εἰπὼν
 καὶ περὶ τῶν ὑμετέρων ἀναμνήσαι πειράσομαι.
 40 Θεόγνις γὰρ καὶ Πείσων ἔλεγον ἐν τοῖς τριάκοντα 6
 περὶ τῶν μετοίκων, ὥς εἶέν τινες τῇ πολιτείᾳ
ἀχθόμενοι. καλλίστην οὖν εἶναι πρόφασιν τι-
 μωρεῖσθαι μὲν δοκεῖν, τῷ δ' ἔργῳ χρηματίζεσθαι.
 45 πάντως δὲ τὴν μὲν πόλιν πένεσθαι, τὴν δ' ἀρχὴν
 7 δεῖσθαι χρημάτων. / καὶ τοὺς ἀκούοντας οὐ
 χαλεπῶς ἔπειθον· ἀποκτινύναι μὲν γὰρ ἀνθρώ-
 πους περὶ οὐδενὸς ἡγοῦντο, λαμβάνειν δὲ χρήματα
 περὶ πολλοῦ ἐποιοῦντο. ἔδοξεν οὖν αὐτοῖς δέκα
 συλλαβεῖν, τούτων δὲ δύο πένητας, ἵνα αὐτοῖς ἡ
 50 πρὸς τοὺς ἄλλους ἀπολογία, ὥς οὐ χρημάτων
 ἕνεκα ταῦτα πέπρακται, ἀλλὰ συμφέροντα τῇ
 πολιτείᾳ γεγένηται, ὥσπερ τι τῶν ἄλλων εὐλόγως
πεποιηκότες. διαλαβόντες δὲ τὰς οἰκίας ἐβάδιζον· 8

καὶ ἐμὲ μὲν ξένους ἐστιῶντα κατέλαβον, οὗς
ἐξελάσαντες Πείσωνί με παραδιδόασιν· οἱ δὲ 55
ἄλλοι εἰς τὸ ἐργαστήριον ἐλθόντες τὰ ἀνδράποδα
ἀπεγράφοντο. ἐγὼ δὲ Πείσωνα μὲν ἡρώτων εἰ
9 βούλοιτό με σῶσαι χρήματα λαβών· ὁ δ'
ἔφασκεν, εἰ πολλὰ εἶη. εἶπον οὖν ὅτι τάλαντον
ἀργυρίου ἔτοιμος εἶην δοῦναι· ὁ δ' ὠμολόγησε 60
ταῦτα ποιήσῃν. ἡπιστάμην μὲν οὖν ὅτι οὔτε
θεοὺς οὔτ' ἀνθρώπους νομίζει ὁμως δ' ἐκ τῶν
παρόντων ἐδόκει μοι ἀναγκαιότατον εἶναι πίστιν
10 παρ' αὐτοῦ λαβεῖν. ἐπειδὴ δὲ ὥμοσεν ἐξώλειαν
ἐαυτῷ καὶ τοῖς παισὶν ἐπαρώμενος, λαβὼν τὸ 65
τάλαντόν με σώσειν, εἰσελθὼν εἰς τὸ δωμάτιον
τὴν κιβωτὸν ἀνοίγνυμι· Πείσων δ' αἰσθόμενος
εἰσέρχεται, καὶ ἰδὼν τὰ ἐνόντα καλεῖ τῶν ὑπηρε-
τῶν δύο, καὶ τὰ ἐν τῇ κιβωτῷ λαβεῖν ἐκέλευσεν.
11 ἐπειδὴ δ' οὐχ ὅσον ὠμολόγησα εἶχεν, ὦ ἄνδρες 70
δικασταί, ἀλλὰ τρία τάλαντα ἀργυρίου καὶ τετρα-
κοσίους κυζικηνούς καὶ ἑκατὸν δαρεικοὺς καὶ
φιάλας ἀργυρᾶς τέτταρας, ἐδεόμην αὐτοῦ ἐφόδιά
μοι δοῦναι, ὁ δ' ἀγαπήσειν με ἔφασκεν, εἰ τὸ
12 σῶμα σώσω. ἐξιούσι δ' ἐμοὶ καὶ Πείσωνι 75
ἐπιτυγχάνει Μηλόβιός τε καὶ Μνησιθειδης ἐκ
τοῦ ἐργαστηρίου ἀπιόντες, καὶ καταλαμβάνουσι
πρὸς αὐταῖς ταῖς θύραις, καὶ ἐρωτῶσιν ὅποι βαδί-
ζοιμεν· ὁ δ' ἔφασκεν εἰς τοῦ ἀδελφοῦ τοῦ ἐμοῦ,
ἵνα καὶ τὰ ἐν ἐκείνῃ τῇ οἰκίᾳ σκέψηται. ἐκείνουν 80
μὲν οὖν ἐκέλευον βαδίζειν, ἐμὲ δὲ μεθ' αὐτῶν
13 ἀκολουθεῖν εἰς Δαμνίππου. Πείσων δὲ προσ-
ελθὼν σιγᾷ μοι παρεκελεύετο καὶ θαρρεῖν,

ὥς ἤξων ἐκεῖσε. καταλαμβάνομεν δὲ αὐτόθι
 85 Θεόγνιν ἐτέρους φυλάττοντα· ᾧ παραδόντες ἐμέ
 πάλιν ᾤχοντο. ἐν τοιούτῳ δ' ὄντι μοι κιν-
 δυνεύειν ἐδόκει, ὥς τοῦ γε ἀποθανεῖν ὑπάρχοντος
 ἤδη. / καλέσας δὲ Δάμνιππον λέγω πρὸς αὐτὸν 14
 τάδε, “ἐπιτήδειος μὲν μοι τυγχάνεις ὢν, ἤκω δ’
 90 εἰς τὴν σὴν οἰκίαν, ἀδικῶ δ’ οὐδέν, χρημάτων
 δ’ ἔνεκα ἀπόλλυμαι. σὺ οὖν ταῦτα πάσχοντί
 μοι πρόθυμος παράσχου τὴν σεαυτοῦ δύναμιν εἰς
 τὴν ἐμὴν σωτηρίαν.” ὁ δ’ ὑπέσχετο ταῦτα
 ποιήσῃν. ἐδόκει δ’ αὐτῷ βέλτιον εἶναι πρὸς
 95 Θεόγνιν μνησθῆναι· ἡγείτο γὰρ ἅπαν ποιήσῃν
 αὐτόν, εἴ τις ἀργύριον διδοῖη. ἐκείνου δὲ δια- 15
 λεγομένου Θεόγνιδι (ἔμπειρος γὰρ ὢν ἐτύγχανον
 τῆς οἰκίας, καὶ ἤδειν ὅτι ἀμφίθυρος εἶη) ἐδόκει
 μοι ταύτη πειρᾶσθαι σωθῆναι, ἐνθυμουμένῳ ὅτι,
 100 ἐὰν μὲν λάθω, σωθήσομαι, ἐὰν δὲ ληφθῶ, ἡγούμην
 μὲν, εἰ Θεόγνις εἶη πεπεισμένος ὑπὸ τοῦ Δαμνίπ-
 που χρήματα λαβεῖν, οὐδὲν ἤττον ἀφεθήσεσθαι,
 εἰ δὲ μή, ὁμοίως ἀποθανεῖσθαι. ταῦτα διανοηθεὶς 16
 ἔφευγον, ἐκείνων ἐπὶ τῇ αὐλείῳ θύρᾳ τὴν φυλακὴν
 105 ποιουμένων· τριῶν δὲ θυρῶν οὐσῶν, ἃς ἔδει με
 διελθεῖν, ἅπασαι ἀνεωγμέναι ἔτυχον. ἀφικόμενος
 δὲ εἰς Ἀρχένεω τοῦ ναυκλήρου ἐκείνον πέμπω
 εἰς ἄστυ, πευσόμενον περὶ τοῦ ἀδελφοῦ (ἤκων δὲ
 ἔλεγεν ὅτι Ἐρατοσθένης αὐτὸν ἐν τῇ ὁδῷ λαβὼν
 110 εἰς τὸ δεσμωτήριον ἀπαγάγοι.) καὶ ἐγὼ μὲν τοι- 17
 αὐτα πεπυσμένος τῆς ἐπιούσης νυκτὸς διέπλευσα
 Μέγαράδε. Πολεμάρχῳ δὲ παρήγγειλαν οἱ
 τριάκοντα τὸ ἐπ’ ἐκείνων* εἰθισμένον παράγγελμα,

* ἐπ’, MS. ὑπ’ ἐκείνων.

πίνειν κώνειον, πρὶν τὴν αἰτίαν εἰπεῖν δι' ἣντινα
 ἔμελλεν ἀποθανεῖσθαι· οὕτω πολλοῦ ἐδέησε κρι- 115
 18 θῆναι καὶ ἀπολογήσασθαι. καὶ ἐπειδὴ ἀπεφέρετο
 ἐκ τοῦ δεσμοτηρίου τεθνεώς, τριῶν ἡμῶν οἰκιῶν
 οὐσῶν ἐξ οὐδεμιᾶς εἴασαν ἐξενεχθῆναι, ἀλλὰ κλει-
 σίον μισθωσάμενοι προὔθεντο αὐτόν. καὶ πολλῶν
 ὄντων ἱματίων αἰτοῦσιν οὐδὲν ἔδωσαν εἰς τὴν 120
 ταφήν, ἀλλὰ τῶν φίλων ὁ μὲν ἱμάτιον ὁ δὲ
 προσκεφάλαιον ὁ δὲ ὅ τι ἕκαστος ἔτυχεν ἔδωκεν
 19 εἰς τὴν ἐκείνου ταφήν. καὶ ἔχοντες μὲν ἑπτακο-
 σίας ἀσπίδας τῶν ἡμετέρων, ἔχοντες δὲ ἀργύριον
 καὶ χρυσίον τοσοῦτον, χαλκὸν δὲ καὶ κόσμον καὶ 125
 ἔπιπλα καὶ ἱμάτια γυναικεῖα ὅσα οὐδεπώποτε
 ᾤοντο κτήσεσθαι, καὶ ἀνδράποδα εἴκοσι καὶ
 ἑκατόν, ὧν τὰ μὲν βέλτιστα ἔλαβον, τα δὲ λοιπὰ
 εἰς τὸ δημόσιον ἀπέδωκαν, εἰς τοσαύτην ἀπλη-
στίαν καὶ αἰσχροκέρδειαν ἀφίκοντο καὶ τοῦ 130
 τρόπου τοῦ αὐτῶν ἀπόδειξιν ἐποιήσαντο· τῆς
 γὰρ Πολεμάρχου γυναικὸς χρυσοῦς ἐλικτήρας,
 οὓς ἔχουσα ἐτύγχανεν, ὅτε τὸ πρῶτον ἦλθεν εἰς
 τὴν οἰκίαν Μηλόβιος, ἐκ τῶν ὧτων ἐξείλετο.
 20 καὶ οὐδὲ κατὰ τὸ ἐλάχιστον μέρος τῆς οὐσίας 135
 ἐλέου παρ' αὐτῶν ἐτυγχάνομεν. (ἀλλ' οὕτως εἰς
 ἡμᾶς διὰ τὰ χρήματα ἐξημάρτανον, ὥσπερ οὐκ
 ἂν ἕτεροι* μεγάλων ἀδικημάτων, ὀργὴν ἔχοντες,) *genui!*
 οὐ τούτων ἀξίους γε ὄντας τῇ πόλει, ἀλλὰ πάσας
 τὰς χορηγίας χορηγήσαντας, πολλὰς δ' εἰσφοράς 140
 εἰσενεγκόντας, κοσμίους δ' ἡμᾶς αὐτοὺς παρέχον-
 τας καὶ πᾶν τὸ προσταττόμενον ποιοῦντας, ἐχθρόν
 δ' οὐδένα κεκτημένους, πολλοὺς δ' Ἀθηναίων ἐκ

* οὐδ' W. R. ἐχθροὶ Frützsche.

τῶν πολεμίων λυσαμένους· (τοιούτων ἤξιωσαν
 145 οὐχ ὁμοίως μετοικοῦντας ὥσπερ αὐτοὶ ἐπο-
 λιτεύοντο.) οὗτοι γὰρ πολλοὺς μὲν τῶν πολιτῶν 21
 εἰς τοὺς πολεμίους ἐξήλασαν, πολλοὺς δ' ἀδίκως
 ἀποκτείναντες ἀτάφους ἐποίησαν, πολλοὺς δ'
 ἐπιτίμους ὄντας ἀτίμους [τῆς πόλεως] κατέστησαν,
 150 πολλῶν δὲ θυγατέρας μελλούσας ἐκδίδοσθαι
 ἐκώλυσαν. Καὶ εἰς τοσοῦτόν εἰσι τόλμης ἀφίγ- 22
 μένοι ὥσθ' ἤκουσιν ἀπολογησόμενοι, καὶ λέγουσιν
 ὡς οὐδὲν κακὸν οὐδ' αἰσχρὸν εἰργασμένοι εἰσίν.
 ἐγὼ δ' ἐβουλόμην ἂν αὐτοὺς ἀληθῆ λέγειν· μετὴν
 155 γὰρ ἂν καὶ ἐμοὶ τούτου τάγαθοῦ οὐκ ἐλάχιστον
 μέρος. νῦν δὲ οὔτε πρὸς τὴν πόλιν αὐτοῖς τοι- 23
 αὐτὰ ὑπάρχει οὔτε πρὸς ἐμέ· τὸν ἀδελφὸν γάρ
 μου, ὥσπερ καὶ πρότερον εἶπον, Ἐρατοσθένης
 ἀπέκτεινεν οὔτε αὐτὸς ἰδίᾳ ἀδικούμενος οὔτε εἰς
 160 τὴν πόλιν ὁρῶν ἐξαμαρτάνοντα, ἀλλὰ τῇ ἑαυτοῦ
 παρανομίᾳ προθύμως ἐξυπηρετῶν. ✓

§ 3. *I will show by an examination of Eratosthenes
 that he was the actual cause of our ill-treatment, though
 confessing that he thought it unjust.*

Ἀναβιβασάμενος δ' αὐτὸν βούλομαι ἐρέ- 24
 σθαι, ὃ ἄνδρες δικασταί. τοιαύτην γὰρ γνώμην
 ἔχω· ἐπὶ μὲν τῇ τούτου ὠφελείᾳ καὶ πρὸς ἕτερον
 165 περὶ τούτου διαλέγεσθαι ἀσεβὲς εἶναι νομίζω,
 ἐπὶ δὲ τῇ τούτου βλάβῃ καὶ πρὸς αὐτὸν τοῦτον
 ὁσιον καὶ εὐσεβές. ἀνάβηθι οὖν μοι καὶ ἀπό-
 κριναι, ὃ τι ἂν σε ἐρωτῶ. ἀπήγαγες Πολέ- 25
 μαρχον ἢ οὐ; Τὰ ὑπὸ τῶν ἀρχόντων προσταχ-

καὶ θέντα δεδιώς ἐποιοῦν. Ἦσθα δ' ἐν τῷ βουλευ- 170
 τηρίῳ, ὅτε οἱ λόγοι ἐγίνοντο περὶ ἡμῶν; Ἦν.
 Πότερον συνηγόρευες τοῖς κελεύουσιν ἀπο-
 κτείνειν ἢ ἀντέλεγες; Ἀντέλεγον. Ἴνα μὴ ἀπο-
 θάνωμεν; Ἴνα μὴ ἀποθάνητε. Ἐγούμενος ἡμᾶς
 26 ἄδικα πάσχειν ἢ δίκαια; Ἀδικα. Εἴτ', 175
 σχετλιώτατε πάντων, ἀντέλεγες μὲν ἵνα σώσειας,
 συνελάμβανες δὲ ἵνα ἀποκτείνεις;² καὶ ὅτε
 μὲν τὸ πλῆθος ἦν ὑμῶν κύριον τῆς σωτηρίας
 τῆς ἡμετέρας, ἀντιλέγειν φῆς τοῖς βουλομένοις
 ἡμᾶς ἀπολέσαι, ἐπειδὴ δὲ ἐπὶ σοὶ μόνῳ ἐγένετο 180
 καὶ σῶσαι Πολέμαρχον καὶ μὴ, εἰς τὸ δεσμο-
 τήριον ἀπήγαγες; εἶθ' ὅτι μὲν, ὡς φῆς, ἀντειπὼν
 οὐδὲν ὠφέλησας, ἀξιοῖς χρηστὸς νομίζεσθαι, ὅτι
 δὲ συλλαβὼν ἀπέκτεινας, οὐκ οἶε³ ἐμοὶ καὶ
 τουτοισὶ δοῦναι δίκην;

185

§ 4. His plea that he spoke against our ill-treatment, and only acted under compulsion, will not hold. For, 1st, It cannot be allowed to one of the Thirty to plead that he was compelled by the Thirty to do as he did. 2dly, He could have easily allowed my brother to escape if he had wished it. 3dly, His only defence must be either that he did not arrest my brother, or did so justly. Your decision is anxiously waited for, and is most important.

27 Καὶ μὴν οὐδὲ τοῦτο εἰκὸς αὐτῷ πιστεῦειν,
 εἴπερ ἀληθῆ λέγει φάσκων ἀντειπεῖν, ὡς αὐτῷ
 προσετάχθη. οὐ γὰρ δή που ἐν τοῖς μετοίκοις
 πίστιν παρ' αὐτοῦ ἐλάβανον. ἐπεὶ τοι τῷ *ἀντιπρ.*

² ἀποκτείνεις Bekk. conj.; MS. ἀποκτείνης vel ἀποκτείνους.

³ οἶε Madvig omitti vult. Adv. Crit., p. 175.

- 190 ἦττον εἰκὸς ἦν προσαχθῆναι ἢ ὅστις ἀντειπὼν
γε ἐτύγχανε καὶ γνώμην ⁴ ἀποδεδειγμένος ;
τίνα γὰρ εἰκὸς ἦν ἦττον ταῦτα ὑπηρετῆσαι
ἢ τὸν ἀντειπόντα οἷς ἐκείνοι ἐβούλοντο πραχ-
θῆναι ; Ἔτι δὲ τοῖς μὲν ἄλλοις Ἀθηναίοις ἱκανή 28
- 195 μοι δοκεῖ πρόφασις εἶναι τῶν γεγενημένων εἰς
τοὺς τριάκοντα ἀναφέρειν τὴν αἰτίαν· αὐτοὺς δὲ
τοὺς τριάκοντα, εἰς σφᾶς αὐτοὺς ἀναφέρωσι,

con. tr. lo. d. πῶς ὑμᾶς εἰκὸς ἀποδέχεσθαι ; εἰ μὲν γάρ τις ἦν 29
ἐν τῇ πόλει ἀρχὴ ἰσχυροτέρα [αὐτῆς], ὑφ' ἧς αὐτῷ
200 προσετάρτετο παρὰ τὸ δίκαιον ἀνθρώπους ἀπολ-
λύναι, ἴσως ἂν εἰκότως αὐτῷ συγγνώμην εἶχετε·

ind. p. m. νῦν δὲ παρὰ τοῦ ποτε καὶ λήψεσθε δίκην, εἴπερ

7. v. 14 ἐξέσται τοῖς τριάκοντα λέγειν ὅτι τὰ ὑπὸ τῶν
τριάκοντα προσαχθέντα ἐποιοῦν ; Καὶ μὲν δὴ 30

zeug 205 οὐκ ἐν τῇ οἰκίᾳ ἀλλ' ἐν τῇ ὁδῷ σώζειν τε αὐτὸν
καὶ τὰ τούτοις ἐψηφισμένα παρόν,⁵ συλλαβὼν
ἀπήγαγεν. ὑμεῖς δὲ πάντες ὀργίζεσθε, ὅσοι εἰς
τὰς οἰκίας ἦλθον τὰς ὑμετέρας ζήτησιν ποιούμενοι

con. v. 15 ἢ ὑμῶν ἢ τῶν ὑμετέρων τινός. (καίτοι εἰ χρή 31

210 τοῖς διὰ τὴν ἑαυτῶν σωτηρίαν ἐτέρους ἀπολέσασσι
συγγνώμην ἔχειν, ἐκείνοις ἂν δικαιότερον ἔχοιτε)
κίνδυνος γὰρ ἦν πεμφθεῖσι μὴ ἐλθεῖν καὶ κατα-
λαβούσιν ἐξάρνοις γενέσθαι. τῷ δὲ Ἐρατοσθένει
ἐξῆν εἰπεῖν ὅτι οὐκ ἀπήντησεν, ἔπειτα ὅτι οὐκ
215 εἶδεν· ταῦτα γὰρ οὐτ' ἔλεγχον οὔτε βάσανον
εἶχεν, ὥστε μὴδ' ὑπὸ τῶν ἐχθρῶν βουλομένων
οἶόν τ' εἶναι ἐξελεγχθῆναι. // χρὴν, δέ σε, 32

⁴ Scheide ante γνώμην scripsit ἐναντίαν.

⁵ σώζειν τε αὐτὸν . . . παρόν. *Saunders conj.* pro σώζοντα αὐτὸν . . . , ὁν. feliciter. In l. 207 *Francken* ὀργίζεσθε, sed de ira adhuc fervescente loquitur orator.

ξένοι ἐπιδημοῦσιν, εἴσονται πότερον ἀδίκως τοὺς
 τριάκοντα ἐκκηρύττουσιν ἐκ τῶν πόλεων ἢ δικαίως.
 εἰ γὰρ δὴ αὐτοὶ οἱ κακῶς πεπονθότες λαβόντες
 250 ἀφήσουσιν, ἥ που σφᾶς αὐτοὺς ἡγήσονται περι-
 ἔργους ὑπὲρ ὑμῶν τιμωρουμένους.⁷ οὐκ οὖν δεινὸν 36
 εἰ τοὺς μὲν στρατηγούς, οἱ ἐνίκων ναυμαχοῦντες,
 ὅτε διὰ χειμῶνα οὐχ οἰοί τ' ἔφασαν εἶναι τοὺς
 ἐκ τῆς θαλάττης ἀνελέσθαι, θανάτῳ ἐξημιώσατε,
 255 ἡγούμενοι χρήναι τῇ τῶν τεθνεώτων ἀρετῇ παρ'
 ἐκείνων δίκην λαβεῖν, τούτους δέ, οἱ ἰδιῶται μὲν
 ὄντες καθ' ὅσον ἐδύναντο ἐποίησαν ἡττηθῆναι
 ναυμαχοῦντες, ἐπειδὴ δὲ εἰς τὴν ἀρχὴν κατέστη-
 σαν, ὁμολογοῦσιν ἐκόντες πολλοὺς τῶν πολιτῶν
 260 ἀκρίτους ἀποκτινύναι, οὐκ ἄρα χρή αὐτοὺς καὶ
 τοὺς παῖδας ὑφ' ὑμῶν ταῖς ἐσχάταις ζημίαις 25
 κολάζεσθαι ; *Amacritation*

§ 5. If he follows a very general custom of accused persons, and, without making a direct answer to the charges against him, appeals to his public services, you have only to contrast those services with the many disservices he has done the State. To show you the truth as to this, I will make certain statements about him, which I will confirm severally by evidence.

Ἐγὼ τοίνυν, ὦ ἄνδρες δικασταί, ἡξίουν 37
 ἱκανὰ εἶναι τὰ κατηγορημένα· μέχρι γὰρ τούτου
 265 νομίζω χρήναι κατηγορεῖν ἕως ἀν θανάτου δόξῃ
 τῷ φεύγοντι ἄξια εἰργάσθαι· (ταύτην γὰρ ἐσχάτην
 δίκην δυνάμεθα παρ' αὐτῶν λαβεῖν.) ὥστ' οὐκ
 οἶδ' ὅ τι δεῖ πολλὰ κατηγορεῖν τοιούτων ἀνδρῶν,

⁷ Al. κηδομένους, διατεινομένους, τηρουμένους. Weidn. ἐχθροὺς ὑπὲρ ὑμῶν γ' αἰρουμένους.

οἱ οὐδ' ὑπὲρ ἑνὸς ἐκάστου τῶν πεπραγμένων δις
 38 ἀποθανόντες δίκην δοῦναι* δύναιντ' ἄν. οὐ γὰρ 270
 δὴ οὐδὲ (τοῦτο αὐτῷ προσήκει ποιῆσαι) ὅπερ ἐν
 τῇδε τῇ πόλει εἰθισμένον ἐστί, πρὸς μὲν τὰ
 κατηγορημένα μηδὲν ἀπολογεῖσθαι, περὶ δὲ σφῶν
 αὐτῶν ἕτερα λέγοντες ἐνίοτε ἐξαπατῶσιν, ὑμῖν
 ἀποδεικνύντες ὡς στρατιῶται ἀγαθοί εἰσιν, ἢ ὡς 275
 πολλὰς τῶν πολεμίων ναῦς ἔλαβον τριηραρχή-
 σαντες, ἢ πόλεις πολεμίας οὔσας φίλας ἐποίησαν.
 39 ἐπεὶ κελεύετε αὐτὸν ἀποδείξει ὅπου τοσοῦτους ^{ἵππας}
 τῶν πολεμίων ἀπέκτειναν ὅσους τῶν πολιτῶν, ἢ
 ναῦς ὅπου τοσαύτας ἔλαβον ὅσας αὐτοὶ παρέδο- 280
 σαν, ἢ πόλιν ἣν τινα τοιαύτην προσεκλήσαντο
 40 οἷαν τὴν ὑμετέραν κατεδουλώσαντο. ἀλλὰ γὰρ
 ὅπλα τῶν πολεμίων ἐσκύλευσαν τοσαῦτα ὅσα
 περ ὑμῶν ἀφείλονται ; ἀλλὰ τεῖχῃ τοιαῦτα εἶλον
 οἷα τὰ τῆς ἑαυτῶν πατρίδος κατέσκαψαν ; οὔτινες 285
 καὶ τὰ περὶ τὴν Ἀττικὴν φρούρια καθεῖλον, καὶ
 ὑμῖν ἐδήλωσαν ὅτι οὐδὲ τὸν Πειραιᾶ Λακεδαι-
 μονίων προσταττόντων περιεῖλον, ἀλλ' ὅτι ἑαυτοῖς
 τὴν ἀρχὴν οὕτω βεβαιότεραν ἐνόμιζον εἶναι.

(1.) *In the time of the Four Hundred he deserted his ship when serving in the Hellespont, to join the aristocratic faction in Athens.*

41 Πολλάκις οὖν ἐθαύμασα τῆς τόλμης τῶν 290
 λεγόντων ὑπὲρ αὐτῶν, (πλὴν ὅταν ἐνθυμηθῶ
 ὅτι τῶν αὐτῶν ἐστὶν αὐτοὺς τε πάντα κακὰ
 42 ἐργάζεσθαι καὶ τοὺς τοιούτους ἐπαινεῖν.) οὐ
 γὰρ νῦν πρῶτον τῷ ὑμετέρῳ πλήθει τὰ ἐναντία

* δοῦναι ἀξίαν Markl., Rauch.

295 ἔπραξεν, ἀλλὰ καὶ ἐπὶ τῶν τετρακοσίων ἐν τῷ
στρατοπέδῳ ὀλιγαρχίαν καθιστὰς ἔφευγεν ἐξ/ῆ
Ἑλλησπόντου τριήραρχος καταλιπὼν τὴν ναῦν,
μετὰ Ἰατροκλέους καὶ ἐτέρων, ὧν τὰ ὀνόματα
οὐδὲν δέομαι λέγειν. ἀφικόμενος δὲ δεῦρο
300 τὰναντία τοῖς βουλομένοις δημοκρατίαν εἶναι
ἔπραττε. καὶ τούτων μάρτυρας ὑμῖν παρέξομαι.

WITNESSES TO THE CONDUCT OF ERATOSTHENES
PREVIOUS TO THE BATTLE OF ÆGOSPOTAMI.

(2.) *He and Critias were two of the five who, after the disaster at Ægospotami, took the management of affairs into their hands, and acted in a spirit hostile to the democracy.*

Τὸν μὲν τοίνυν μεταξὺ βίον αὐτοῦ παρήσω· 43
ἐπειδὴ δὲ ἡ ναυμαχία καὶ ἡ συμφορὰ τῇ πόλει
ἐγένετο, δημοκρατίας ἔτι οὔσης, ὅθεν τῆς στάσεως
305 ἦρξαν, πέντε ἄνδρες ἔφοροι κατέστησαν ὑπὸ τῶν
καλουμένων ἐταίρων, συναγωγεῖς μὲν τῶν πολιτῶν,
ἄρχοντες δὲ τῶν συνωμοτῶν, ἐναντία δὲ τῷ
ὑμετέρῳ πλήθει πράττοντες· ὧν Ἐρατοσθένης
καὶ Κριτίας ἦσαν. / οὔτοι δὲ φυλάρχους τε ἐπὶ 44
310 τὰς φυλακὰς κατέστησαν, καὶ ὃ τι δέοι χειροτονεῖ-
σθαι καὶ οὔστινας χρεῖη ἄρχειν παρήγγελλον, καὶ
εἴ τι ἄλλο πράττειν βούλουντο, κύριοι ἦσαν·
οὕτως οὐχ ὑπὸ τῶν πολεμίων μόνον ἀλλὰ καὶ
ὑπὸ τούτων πολιτῶν ὄντων ἐπεβουλεύεσθε ὅπως
315 μήτ' ἀγαθὸν μηδὲν ψηφισεῖσθε⁸ πολλῶν τε
ἐνδεεῖς ἔσεσθε. τοῦτο γὰρ καὶ ἠπίσταντο, ὅτι 45

⁸ ψηφισεῖσθε *Coδ.* MS. ψηφίζησθε *Bekk.* ψηφίζαισθε.

ἄλλως μὲν οὐχ οἰοί τε ἔσονται περιγενέσθαι,
 36 κακῶς δὲ πραττόντων δυνήσονται· καὶ ὑμᾶς
 ἡγούντο τῶν παρόντων κακῶν ἐπιθυμοῦντας
 ἀπαλλαγῆναι περὶ τῶν μελλόντων οὐκ ἐνθυμή- 320
 36 σεσθαι. ὥς τοίνυν τῶν ἐφόρων ἐγένετο, μάρτυρας
 ὑμῖν παρέξομαι, οὐ τοὺς τότε συμπράττοντας (οὐ
 γὰρ ἂν δυναίμην), ἀλλὰ τοὺς αὐτοῦ Ἑρατοσ-
 47 θένους ἀκούσαντας. καίτοι εἰ ἐσωφρόνουν
 κατεμαρτύρουν ἂν αὐτῶν, καὶ τοὺς διδασκάλους 325
 τῶν σφετέρων ἀμαρτημάτων σφόδρ' ἂν ἐκόλαζον,
 καὶ τοὺς ὄρκους, εἰ ἐσωφρόνουν, οὐκ ἂν ἐπὶ μὲν
 τοῖς τῶν πολιτῶν κακοῖς πιστοὺς ἐνόμιζον, ἐπὶ
 δὲ τοῖς τῆς πόλεως ἀγαθοῖς ῥαδίως παρέβαινον.
 πρὸς μὲν οὖν τούτους τοσαῦτα λέγω, τοὺς δὲ 330
 μάρτυράς μοι κάλει. Καὶ ὑμεῖς ἀνάβητε.

WITNESSES TO THE CONDUCT OF ERATOSTHENES
 IN HELPING TO ESTABLISH THE THIRTY.

(3.) *While in office among the Thirty, he did nothing to rebut the lying accusations of the informers Batrachus and Æschylides, though he knew them to be false. Thus he both held office illegally and exercised it unjustly.*

48 Τῶν μὲν μαρτύρων ἀκηκόατε. τὸ δὲ τελευταῖον
 εἰς τὴν ἀρχὴν καταστὰς ἀγαθοῦ μὲν οὐδενὸς
 μετέσχεν, ἄλλων δὲ πολλῶν. καίτοι εἴπερ ἦν ἀνὴρ
 ἀγαθός, ἐχρῆν αὐτὸν πρῶτον μὲν μὴ παρανόμως 335
 ἄρχειν, ἔπειτα τῇ βουλῇ μηνυτὴν γίγνεσθαι περὶ
 τῶν εἰσαγγελιῶν ἀπασῶν, ὅτι ψευδεῖς εἶεν, καὶ
 Βάτραχος καὶ Αἰσχυλίδης οὐ τάληθῇ μηνύουσιν,

ἀλλὰ τὰ ὑπὸ τῶν τριάκοντα ~~πλασθέντα~~ εἰς-
 340 ἀγγέλλουσι, συγκεείμενα ἐπὶ τῇ τῶν πολιτῶν
 βλάβῃ. καὶ μὲν δὴ, ὧ ἄνδρες δικασταί, ὅσοι 49
 κακόννοι ἦσαν τῷ ὑμετέρῳ πλήθει, οὐδὲν ἔλαττον
 εἶχον σιωπῶντες· ἕτεροι γὰρ ἦσαν οἱ λέγοντες
 καὶ πράττοντες ὧν οὐχ οἶόν τ' ἦν μείζω κακὰ
 345 γενέσθαι τῇ πόλει. ὅπόσοι δ' εὖνοί φασιν εἶναι,
 πῶς οὐκ ἐνταῦθα ἔδειξαν, αὐτοὶ τε τὰ βέλτιστα
 λέγοντες καὶ τοὺς ἐξαμαρτάνοντας ἀποτρέποντες;

(4.) When the split occurred among the Thirty, he plainly showed that the course he took was prompted by no patriotic motives, but by jealousy of others who were more powerful or more successful in enriching themselves. He made no overtures to the party at Phyle, but assisted to put to death three hundred citizens at Salamis and Eleusis. Nor when the anti-Critias party, of which he was one, obtained power, did they make any effort to come to terms with the loyalists in Peiræus, but invoked the aid of Sparta against them. All this is notorious, but I will call evidence to prove it.

Ἴσως δ' ἂν ἔχοι εἰπεῖν ὅτι ἐδεδοίκει, καὶ ὑμῶν 50
 τοῦτο ἐνίοις ἱκανὸν ἔσται. ὅπως τοίνυν μὴ
 350 φανήσεται ἐν τῷ λόγῳ τοῖς τριάκοντα ἐναντιού-
 μενος· εἰ δὲ μὴ, ἐνταυθοῖ δῆλος ἔσται ὅτι ἐκεῖνά
 τε αὐτῷ ἤρεσκε, καὶ τοσοῦτον ἐδύνατο ὥστε
 ἐναντιούμενος μηδὲν κακὸν παθεῖν ὑπ' αὐτῶν.
 χρῆν δ' αὐτὸν ὑπὲρ τῆς ὑμετέρας σωτηρίας ταύ-
 355 την τὴν προθυμίαν ἔχειν, ἀλλὰ μὴ ὑπὲρ Θηρα-
μένους, ὃς εἰς ὑμᾶς πολλὰ ἐξήμαρτεν./ ἀλλ' 51
 οὗτος τὴν μὲν πόλιν ἐχθρὰν ἐνόμιζεν εἶναι, τοὺς
 δ' ὑμετέρους ἐχθροὺς φίλους, ὡς ἀμφοτέρα ταῦτα

ἐγὼ (πολλοῖς τεκμηρίοις) παραστήσω, καὶ τὰς
 πρὸς ἀλλήλους διαφορὰς οὐχ ὑπὲρ ὑμῶν ἀλλ' 360
 ὑπὲρ ἑαυτῶν γιγνομένας, ὁπότεροι ταῦτα πράξουσι
 52 καὶ τῆς πόλεως ἄρξουσι. εἰ γὰρ ὑπὲρ τῶν
 ἀδικουμένων ἐστάσιαζον, ποῦ κάλλιον ἂν ἦν ἀνδρὶ
 ἄρχοντι, ἢ Θρασύβουλου Φυλῆν κατεληφότος, *καὶ ἐπὶ*
 τότ' ἐπιδείξασθαι τὴν αὐτοῦ εὐνοίαν, ὅ δ' ἀντὶ 365
 τοῦ ἐπαγγελιασθαι τι ἢ πρᾶξαι ἀγαθὸν πρὸς
 τοὺς ἐπὶ Φυλῇ, ἐλθὼν μετὰ τῶν συναρχόντων
 εἰς Σαλαμίνα καὶ Ἐλευσινάδε τριακοσίους τῶν
 πολιτῶν ἀπήγαγεν εἰς τὸ δεσμωτήριον, καὶ μιᾷ
 ψήφῳ | αὐτῶν ἀπάντων | θάνατον κατεψηφίσατο. 370
 53 ἐπειδὴ δὲ εἰς τὸν Πειραιᾶ ἦλθομεν καὶ αἱ ταραχαὶ
καὶ γεγενημέναι ἦσαν καὶ περὶ τῶν διαλλαγῶν οἱ
καὶ λόγοι ἐγγίνοντο, πολλὰς ἐκάτεροι ἐλπίδας εἶχομεν
 πρὸς ἀλλήλους ἐσεσθαι, ὥς ἀμφοτέροι ἐδείξαμεν,⁹
 οἱ μὲν γὰρ ἐκ Πειραιῶς κρείττους ὄντες εἶσαν 375
 54 αὐτοὺς ἀπελθεῖν. οἱ δὲ εἰς τὸ ἄστυ ἐλθόντες τοὺς
 μὲν τριάκοντα ἐξέβαλον πλὴν Φεῖδωνος καὶ
 Ἐρατοσθένους, ἄρχοντας δὲ τοὺς ἐκείνους ἐχθίσ-
 τους εἶλοντο, ἡγούμενοι δικαίως ἂν ὑπὸ τῶν
 αὐτῶν τοὺς τε τριάκοντα μισεῖσθαι καὶ τοὺς ἐν 380
 55 Πειραιεὶ φιλεῖσθαι. τούτων τοίνυν Φεῖδων [ὁ
 τῶν τριάκοντα] γενόμενος καὶ Ἰπποκλῆς καὶ
 Ἐπιχάρης ὁ Λαμπρεὺς καὶ ἕτεροι οἱ δοκοῦντες
 εἶναι ἐναντιώτατοι Χαρικλεῖ καὶ Κριτίᾳ καὶ τῇ
 ἐκείνων ἐταιρείᾳ ἐπειδὴ αὐτοὶ εἰς τὴν ἀρχὴν 385
 κατέστησαν, πολὺ μείζω στάσιν καὶ πόλεμον
 ἐπὶ τοὺς ἐν Πειραιεὶ τοῖς ἐξ ἄστεως ἐποίησαν

⁹ ἐδείξαμεν. Al. ἐδείξαν. MSS. ἔδοξαν. Francken conj. πρῶτοι
 πρὸς ἀλλήλους. Weidn. οἱ ἀμφοτέροι ἐνέδοσαν.

^ω¹⁰ καὶ φανερώς ἐπεδείξαντο ὅτι οὐχ ὑπὲρ τῶν ἐν 56
 Πειραιεῖ οὐδ' ὑπὲρ τῶν ἀδίκως ἀπολλυμένων
 390 ἐστασιάζον, οὐδ' οἱ τεθνεώτες αὐτοὺς ἐλύπουν,
 οὐδ' οἱ μέλλοντες ἀποθανεῖσθαι, ἀλλ' οἱ μείζον
 δυνάμενοι καὶ θάττον πλουτοῦντες. λαβόντες 57
 γὰρ τὰς ἀρχὰς καὶ τὴν πόλιν ἀμφοτέροις ἐπολέ-
 μουν, τοῖς τε τριάκοντα πάντα κακὰ εἰργασμένοις
 395 καὶ ὑμῖν πάντα κακὰ πεπονθόσι. καίτοι τοῦτο
 πᾶσι δῆλον ἦν, ὅτι εἰ μὲν ἐκεῖνοι ἀδίκως ἔφευγον,
 ὑμεῖς δικαίως, εἰ δ' ὑμεῖς ἀδίκως, οἱ τριάκοντα
 δικαίως· οὐ γὰρ δὴ ἐτέρων ἔργων αἰτίαν λαβόντες
 ἐκ τῆς πόλεως ἐξέπεσον, ἀλλὰ τούτων. ὥστε 58
 400 σφόδρα χρή ὀργίζεσθαι, ὅτι Φεῖδων αἰρεθεὶς
 ὑμᾶς διαλλάξαι καὶ καταγαγεῖν τῶν αὐτῶν ἔργων
 Ἐρατοσθένει μετείχε καὶ τῇ αὐτῇ γνώμῃ τοὺς
 μὲν κρείττους αὐτῶν δι' ὑμᾶς κακῶς ποιεῖν
 ἔτοιμος ἦν, ὑμῖν δὲ ἀδίκως φεύγουσιν οὐκ ἠθέλησεν
 405 ἀποδοῦναι τὴν πόλιν, ἀλλ' ἐλθὼν εἰς Λακεδαίμονα
ἔπειθεν αὐτοὺς στρατεύεσθαι, διαβάλλων, ὅτι
 Βοιωτῶν ἡ πόλις ἔσται, καὶ ἄλλα λέγων οἷς ^ωφείτο
 πείσειν μάλιστα. οὐ δυνάμενος δὲ τούτων τυχεῖν, 59
 εἴτε καὶ τῶν ἱερῶν ἐμποδῶν ὄντων εἴτε καὶ αὐτῶν
 410 οὐ βουλομένων, ἑκατὸν τάλαντα ἐδανείσατο, ἵνα
 ἐχοι ἐπικούρους μισθοῦσθαι. καὶ Λύσανδρον
 ἄρχοντα ἡτήσατο, εὐνούστατον μὲν ὄντα τῇ
 ὀλιγαρχίᾳ, κακονούστατον δὲ τῇ πόλει, μισοῦντα
 δὲ μάλιστα τοὺς ἐν Πειραιεῖ. μισθωσάμενοι δὲ 60
 415 πάντας ἀνθρώπους ἐπ' ὀλέθρῳ τῆς πόλεως, καὶ
 πόλεις ἐπάγοντες, καὶ τελευτῶντες Λακεδαιμονίους

¹⁰ Scheibe conj. οἷς. X. οἷ.

καὶ τῶν συμμάχων ὁπόσους ἐδύναντο πείσαι, οὐ
 'διαλλάξαι ἀλλ' ἀπολέσαι παρεσκευάζοντο τὴν
 πόλιν εἰ μὴ δι' ἄνδρας ἀγαθοὺς, οἷς ὑμεῖς δηλώσατε
 παρὰ τῶν ἐχθρῶν δίκην λαβόντες, ὅτι καὶ ἐκείνοις 420
 61 χάριν ἀποδώσετε. ταῦτα δὲ ἐπίστασθε μὲν καὶ
 αὐτοί, καὶ οἶδ' ὅτι οὐ δεῖ* μάρτυρας παρασχέσθαι·
 ὁμῶς δέ· ἐγὼ τε γὰρ δέομαι ἀναπαύσασθαι, ὑμῶν
 τ' ἐνίοις ἥδιον ὥς πλείστων τοὺς αὐτοὺς λόγους
 ἀκούειν.

425

WITNESSES AS TO THE CONDUCT OF ERATOSTHENES
 AFTER THE FALL OF CRITIAS.

§ 6. *But he intends, I hear, to rest his defence on the fact that he acted in connection with Theramenes, who, as head of the Moderate party, deserved well of you. How far from the truth this is you will see if you consider the part taken by Theramenes throughout our troubles. (1) He it was who was the chief agent in the former revolution and in establishing the Four Hundred, and only helped to break up their rule from personal jealousy; (2) He, when blindly trusted by you after Egospotami, really brought about the demolition of the walls, and the revolution and the interference of Lysander, and the establishment of the Thirty; (3) And finally, he was justly put to death by the Oligarchy to which he was unfaithful, as he might have been by the Democracy to which he had been equally false.*

The defendant then will gain nothing by sheltering himself under the name of Theramenes.

62 Φέρε δὴ καὶ περὶ Θηραμένους ὥς ἀν
 δύνωμαι διὰ βραχυτάτων διδάξω. δέομαι δ'
 ὑμῶν ἀκούσαι ὑπὲρ τ' ἑμαντοῦ καὶ τῆς πόλεως.
 καὶ μηδενὶ τοῦτο παραστῇ, ὥς Ἐρατοσθένους

* W. ὥστ' οὐκ οἶδ' ὅτι δεῖ. MS. om. οὐκ.

1st an. confirm text. 1st

430 κινδυνεύοντος Θηραμένους κατηγορῶ· πυνθάνομαι
 γὰρ ταῦτα ἀπολογήσεσθαι αὐτόν, ὅτι ἐκείνῳ
 φίλος ἦν καὶ τῶν αὐτῶν ἔργων μετείχε. καίτοι
 σφόδρ' ἂν αὐτὸν οἶμαι μετὰ Θεμιστοκλέους πολι-
 τευόμενον ^{μετὰ} προποιεῖσθαι πράττειν ὅπως οἰκοδο-
 435 μηθήσεται τὰ τεῖχη, ὁπότε καὶ μετὰ Θηραμένους
 ὅπως καθαιρεθήσεται. οὐ γὰρ μοι δοκοῦσιν ἰσοῦ
 ἄξιοι γεγενῆσθαι· ὁ μὲν γὰρ Λακεδαιμονίων
 ἀκόντων ὠκοδόμησεν αὐτὰ, οὗτος δὲ τοὺς πολίτας
^{λείπει} ἐξαπατήσας καθεῖλε. περιέστηκεν οὖν τῇ πόλει
 440 τοῦναντίον ἢ ὡς εἰκὸς ἦν. ἄξιον μὲν γάρ τι καὶ
 τοὺς φίλους τοὺς Θηραμένους προσαπολωλέναι,
 πλὴν εἴ τις ἐτύγχανεν ἐκείνῳ τάναντία πράττων
 νῦν δὲ ὁρῶ τὰς τε ἀπολογίας εἰς ἐκείνον ἀναφερο-
 μένας, τοὺς τ' ἐκείνῳ συνόντας τιμᾶσθαι πειρω-
 445 μένους, ὥσπερ πολλῶν ἀγαθῶν αἰτίου ἄλλ' οὐ
 μεγάλων κακῶν γεγενημένου. δς πρῶτον μὲν
 τῆς προτέρας ὀλιγαρχίας αἰτιώτατος ἐγένετο,
^{καίτοι} πείσας ὑμᾶς τὴν ἐπὶ τῶν τετρακοσίων πολιτεῖαν
 ἐλέσθαι. καὶ ὁ μὲν πατὴρ αὐτοῦ τῶν προβούλων
 450 ὢν ταῦτ' ἐπραττεν, αὐτὸς δὲ δοκῶν εὐνούστατος
 εἶναι (τοῖς πράγμασι) στρατηγὸς ὑπ' αὐτῶν ἡρέθη.
 καὶ ἕως μὲν ἐτιμᾶτο, πιστὸν ἑαυτὸν παρείχεν.
 455 ἐπειδὴ δὲ Πείσανδρον μὲν καὶ Κάλλαισχρον καὶ
 ἑτέρους ἑώρα ^{πρότερον} αὐτοῦ γινομένους, τὸ
 δὲ ὑμέτερον πλῆθος οὐκέτι βουλόμενον τούτων
 ἀκροᾶσθαι, ^{ὅτι} ἤδη διὰ τε τὸν πρὸς ἐκείνους
φθόνον καὶ τὸ παρ' ὑμῶν δέδωκεν μετέσχε τῶν
 Ἀριστοκράτους ἔργων. βουλόμενος δὲ τῷ ὑμέ-
 67 τέρῳ πλήθει δοκεῖν πιστὸς εἶναι Ἀντιφῶντα καὶ

Ἀρχεπτόλεμον φιλάτους ὄντας αὐτῷ κατηγορῶν 460
 ἀπέκτεινεν, εἰς τοσοῦτον δὲ κακίας ἦλθεν, ὥστε
 ἅμα μὲν διὰ τὴν πρὸς ἐκείνους πίστιν ὑμᾶς
 κατεδουλώσατο, διὰ δὲ τὴν πρὸς ὑμᾶς τοὺς
 68 φίλους ἀπώλεσε. τιμώμενος δὲ καὶ τῶν μεγίστων
 ἀξιούμενος, αὐτὸς ἐπαγγειλάμενος σώσειν τὴν 465
 πόλιν αὐτὰς ἀπώλεσε, φάσκων πράγμα ἡγήκεναι
 μέγα καὶ πολλοῦ ἄξιον. ὑπέσχετο δὲ εἰρήνην
 ποιήσειν μήτε ὄμηρα δοὺς μήτε τὰ τεῖχη καθελὼν
 μήτε τὰς ναῦς παραδούς· ταῦτα δὲ εἰπεῖν μὲν
 οὐδενὶ ἠθέλησεν, ἐκέλευσε δὲ αὐτῷ πιστεύειν. 470
 69 ὅς μιν δέ, ὦ ἄνδρες Ἀθηναῖοι, πραττούσης μὲν
 τῆς ἐν Ἀρείῳ πάγῳ βουλῆς σωτήρια, ἀντιλεγόν-
 των δὲ πολλῶν Θηραμένει, εἰδότες δὲ ὅτι οἱ μὲν
 ἄλλοι ἄνθρωποι τῶν πολεμίων ἔνεκα τάπορρητα
 ποιοῦνται, ἐκείνος δ' ἐν τοῖς αὐτοῦ πολίταις οὐκ 475
 ἠθέλησεν εἰπεῖν ταῦτα ἄ πρὸς τοὺς πολεμίους
 ἔμελλεν ἐρεῖν, ὅμως ἐπετρέψατε αὐτῷ πατρίδα
 70 καὶ παῖδας καὶ γυναῖκας καὶ ὑμᾶς αὐτούς.) ὁ
 δὲ ὢν μὲν ὑπέσχετο οὐδὲν ἔπραξεν, οὕτως δὲ
 ἐνετεθύμητο ὥς χρή μικρὰν καὶ ἀσθενῆ γενέσθαι 480
 τὴν πόλιν, ὥστε περὶ ὧν οὐδεὶς πώποτε οὔτε τῶν
 πολεμίων ἐμνήσθη οὔτε τῶν πολιτῶν ἠλπισε,
 ταῦθ' ὑμᾶς ἔπεισε πρᾶξαι, οὐχ ὑπὸ Λακεδαι-
 μονίων ἀναγκαζόμενος, ἀλλ' αὐτὸς ἐκείνοις ἐπαγ-
 γελλόμενος, τοῦ τε Πειραιῶς τὰ τεῖχη περιελεῖν 485
 καὶ τὴν ὑπάρχουσαν πολιτείαν καταλύσαι, εὖ
 εἰδὼς ὅτι, εἰ μὴ πασῶν τῶν ἐλπίδων ἀποστερή-
 σεσθε, ταχέϊαν παρ' αὐτοῦ τὴν τιμωρίαν
 71 κομείσθε. καὶ τὸ τελευταῖον, ὦ ἄνδρες δικα-

- 490 σταί, οὐ πρότερον εἶασε τὴν ἐκκλησίαν γενέσθαι,
 > ἕως ὃ λεγόμενος ὑπ' ἐκείνου¹¹ καιρὸς ἐπιμελῶς
 ὑπ' αὐτοῦ ἐτηρήθη, καὶ μετεπέμψατο μὲν τὰς
 μετὰ Λυσάνδρου ναῦς ἐκ Σάμου, ἐπεδήμησε δὲ
 τὸ τῶν πολεμίων στρατόπεδον. / τότε δὲ τούτων 72
 495 ὑπαρχόντων, καὶ παρόντων Λυσάνδρου καὶ
 Φιλοχάρους καὶ Μιλτιάδου, περὶ τῆς πολιτείας
 τὴν ἐκκλησίαν ἐποιοῦν, ἵνα μήτε ῥήτωρ αὐτοῖς
 μηδεὶς ἐναντιοῖτο μηδὲ ἀπειλοῖ, ὑμεῖς τε μὴ τὰ
 τῇ πόλει συμφέροντα ἔλοισθε, ἀλλὰ τὰ κείνοις
 500 δοκοῦντα ψηφίσαισθε. ἀναστὰς δὲ Θηραμένης 73
 ἐκέλευσεν ὑμᾶς τριάκοντα ἀνδράσιν ἐπιτρέψαι
 τὴν πόλιν, καὶ τῇ πολιτείᾳ χρῆσθαι ἣν Δρακον-
 τίδης ἀπέφαιεν. ὑμεῖς δ' ὅμως καὶ οὕτω
 διακείμενοι ἐθορυβεῖτε ὥς οὐ ποιήσοντες ταῦτα.
 505 ἐγινγνώσκετε γὰρ ὅτι περὶ δουλείας καὶ ἐλευθερίας
 ἐν ἐκείνῃ τῇ ἡμέρᾳ ἐξεκλησιάζετε. Θηραμένης 74
 δέ, ὃ ἄνδρες δικασταί, (καὶ τούτων ὑμᾶς αὐτοὺς
 μάρτυρας παρέξομαι) εἶπεν ὅτι οὐδὲν αὐτῷ
 μέλοι τοῦ ὑμετέρου θορύβου, ἐπειδὴ πολλοὺς
 510 μὲν Ἀθηναίων εἶδείη τοὺς τὰ ὅμοια πράττοντας
 αὐτῷ, δοκοῦντα δὲ Λυσάνδρῳ καὶ Λακεδαιμονίοις
 λέγει. μετ' ἐκείνον δὲ Λύσανδρος ἀναστὰς ἄλλα
 τε πολλὰ εἶπε καὶ ὅτι παρασπόνδους ὑμᾶς ἔχοι,
 καὶ ὅτι οὐ περὶ πολιτείας ὑμῖν ἔσται ἀλλὰ περὶ
 515 σωτηρίας, εἰ μὴ ποιήσεθ' ἢ Θηραμένης κελεύει.
 τῶν δ' ἐν τῇ ἐκκλησίᾳ ὅσοι ἄνδρες ἀγαθοὶ 75
 ἦσαν, γνόντες τὴν παρασκευὴν καὶ τὴν ἀνάγκην,
 οἱ μὲν αὐτοῦ μένοντες ἡσυχίαν ἤγον, οἱ δὲ

¹¹ West. ὁμολογημένος. Scheide ἐκείνων.

ὄχοντο ἀπιόντες, τοῦτο γοῦν σφίσιν αὐτοῖς
 συνειδότες, ὅτι οὐδὲν κακὸν τῇ πόλει ἐψηφίσαντο· 520
 ὀλίγοι δέ τινες καὶ πονηροὶ καὶ κακῶς βουλευό-
 76 μνοι τὰ προσταχθέντα ἐχειροτόνησαν. παρήγ-
 γελτο γὰρ αὐτοῖς δέκα μὲν οὓς Θηραμένης
 ἀπέδειξε χειροτονησάι, δέκα δὲ οὓς οἱ καθεστη-
 κότες ἔφοροι κελεύοιεν, δέκα δ' ἐκ τῶν παρόντων· 525
 οὕτω γὰρ τὴν ὑμετέραν ἀσθένειαν ἐώρων καὶ
 τὴν αὐτῶν δύναμιν ἡπίσταντο, ὥστε πρότερον
 ἤδεσαν τὰ μέλλοντα ἐν τῇ ἐκκλησίᾳ πραχθήσεσ-
 77 θαι. ταῦτα δὲ οὐκ ἐμοὶ δεῖ πιστεῦσαι, ἀλλὰ
 ἐκείνῳ· πάντα γὰρ τὰ ὑπ' ἐμοῦ εἰρημένα ἐν τῇ 530
 βουλῇ ἀπολογούμενος ἔλεγεν, ὀνειδίζων μὲν τοῖς
 φεύγουσιν, ὅτι δι' αὐτὸν κατέλθοιεν, οὐδὲν φρον-
 τιζόντων Λακεδαιμονίων, ὀνειδίζων δὲ τοῖς τῆς
 πολιτείας μετέχουσιν ὅτι πάντων τῶν πεπραγ-
 μένων τοῖς εἰρημένοις τρόποις ὑπ' ἐμοῦ αὐτὸς 535
 αἴτιος γεγενημένος τοιούτων τυγχάνοι, πολλὰς
 πίστεις αὐτὸς ἔργῳ δεδωκὼς καὶ παρ' ἐκείνων
 78 ὕρκους εἰληφώς. καὶ τοσούτων καὶ ἐτέρων κα-
 κῶν καὶ αἰσχυρῶν καὶ πάλαι καὶ νεωστὶ καὶ
 μικρῶν καὶ μεγάλων αἰτίῳ γεγενημένῳ τολμή- 540
 σουσιν αὐτοὺς φίλους ὄντας ἀποφαίνειν, οὐχ
 ὑπὲρ ὑμῶν ἀποθανόντος Θηραμένους ἀλλ' ὑπὲρ
 τῆς αὐτοῦ πονηρίας, καὶ δικαίως μὲν ἐν ὀλιγαρχίᾳ
 δίκην δόντος (ἤδη γὰρ αὐτὴν κατέλυσε), δικαίως
 δ' ἂν ἐν δημοκρατίᾳ· δις γὰρ ὑμᾶς κατεδουλώ- 545
 σατο, τῶν μὲν παρόντων καταφρονῶν, τῶν δὲ
 ἀπόντων ἐπιθυμῶν, καὶ τῷ καλλίστῳ ὀνόματι
 χρώμενος δεινοτάτων ἔργων διδάσκαλος καταστάς.

Pres. Imp. Stop what is going on,
Aon. Subj. Don't do it in the future,

§ 7. So much for Theramenes. It is now your imperative duty to show no pity, but to punish his adherents, especially Eratosthenes; and yet Eratosthenes is in much better plight than the loyal citizens were whom he slew. They perished without fair trial, he enjoys the advantages of legal proceedings and an opportunity of self-defence. Besides, he can die but once,—an inadequate retaliation for the numerous murders and robberies in which he has taken part. He also, be sure, has a party at his back into which you must by his condemnation strike awe.

Περὶ μὲν τοίνυν Θηραμένους ἱκανά μοι 79
550 ἔστι τὰ κατηγορημένα· ἥκει δ' ὑμῖν ἐκεῖνος ὁ
καιρός, ἐν ᾧ δεῖ συγγνώμην καὶ ἔλεον μὴ εἶναι
ἐν ταῖς ὑμετέραις γνώμαις, ἀλλὰ παρὰ Ἐρατοσ-
θένους καὶ τῶν τουτουῖ συναρχόντων δίκην
λαβεῖν, μηδὲ μαχομένους μὲν κρείττους εἶναι
555 τῶν πολεμίων, ψηφίζομένους δὲ ἥττους τῶν
ἐχθρῶν. μηδ' ὧν φασι μέλλειν πράξειν πλεῖω 80
μνη χάριν αὐτοῖς ἴστε, ἢ ὧν ἐποίησαν ὀργίζεσθε·
μηδ' ἀποῦσι μὲν τοῖς τριάκοντα ἐπιβουλεύετε,
παρόντας δ' ἀφῆτε· μηδὲ τῆς τύχης, ἢ τούτους
560 παρέδωκε τῇ πόλει, κάκιον ὑμῖν αὐτοῖς βοηθή-
σητε. Κατηγορεῖτε δὲ καὶ ¹² τῶν τούτου φίλων, 81
αon. subj. οἷς τὰς ἀπολογίας ἀνοίσει καὶ μεθ' ὧν αὐτῷ
ταῦτα πέπρακται. ὁ μέντοι ἀγὼν οὐκ ἐξ ἴσου
τῇ πόλει καὶ Ἐρατοσθένει· οὗτος μὲν γὰρ κατή-
565 γορος καὶ δικαστὴς αὐτὸς ἦν τῶν γινομένων,¹⁸
ἡμεῖς δὲ νυνὶ εἰς κατηγορίαν καὶ ἀπολογίαν

¹² κατηγορεῖτε δὲ καὶ. Sic Madv. Advers. Crit., p. 453. Scheibe κατηγορηται δὴ Ἐρατοσθένης καὶ. MSS. κατηγορεῖτε δὲ Ἐρ. κτλ.

¹³ γινομένων. Reiskius et Scheibe κρινόμενων, quod cum ἀκρίτους, § 82, male jungitur. Num idem κρινόμενοι et ἀκριτοὶ sunt?

Idem,

- 82 καθέσταμεν. καὶ οὗτοι μὲν τοὺς οὐδὲν ἀδικούν-
 τας ἀκρίτους ἀπέκτειναν, ὑμεῖς δὲ τοὺς ἀπολέ-
 σαντας τὴν πόλιν κατὰ τὸν νόμον ἀξιούτε κρίνειν,
 παρ' ὧν οὐδ' ἂν παρανόμως βουλόμενοι δίκην 570
 λαμβάνειν ἀξίαν τῶν ἀδικημάτων ὧν τὴν πόλιν
 ἡδίκηκας λάβοιτε. τί γὰρ ἂν παθόντες δίκην
 83 τὴν ἀξίαν εἶησαν τῶν ἔργων δεδωκότες ; πότερον
 εἰ αὐτοὺς ἀποκτείνετε καὶ τοὺς παῖδας αὐτῶν,
 ἱκανὴν ἂν τοῦ φόνου δίκην λάβοιμεν, ὧν οὗτοι 575
 πατέρας καὶ υἱεῖς καὶ ἀδελφούς ἀκρίτους ἀπέ-
 κτειναν ; ἀλλὰ γὰρ εἰ τὰ χρήματα τὰ φανερά
 δημεύσαιτε, καλῶς ἂν ἔχοι ἡ τῇ πόλει, ἥς οὗτοι
 πολλὰ εἰλήφασιν, ἡ τοῖς ἰδιώταις, ὧν οἰκίας
 84 ἐξεπόρθησαν ; ἐπειδὴ τοίνυν πάντα ποιούντες 580
 δίκην παρ' αὐτῶν* οὐκ ἂν δύνασθε λαβεῖν, πῶς
 οὐκ αἰσχρὸν ὑμῖν καὶ ἡντινοῦν ἀπολιπεῖν, ἡντινά
 τις βούλοιτο παρὰ τούτων λαμβάνειν ; πᾶν δ'
 ἂν μοι δοκεῖ τολμῆσαι, ὅστις νυνὶ οὐχ ἐτέρων
 ὄντων τῶν δικαστῶν ἀλλ' αὐτῶν τῶν κακῶς 585
 πεπονθότων, ἡκεῖ ἀπολογησόμενος πρὸς αὐτοὺς
 τοὺς μάρτυρας τῆς τούτου πονηρίας· τοσοῦτον
 ἡ ὑμῶν καταπεφρόνηκεν ἡ ἐτέροις πεπίστευκεν.
 85 ὧν ἀμφοτέρων ἄξιον ^{ἐν δίκῃ} ἐπιμελεσθῆναι, ἐνθυμουμένους
 ὅτι οὐτ' ἂν ἐκεῖνα ἐδύναντο ποιεῖν μὴ ἐτέρων 590
 συμπραττόντων οὐτ' ἂν νῦν ἐπεχείρησαν εἰλθεῖν
 μὴ ὑπὸ τῶν αὐτῶν οἰόμενοι σωθήσεσθαι, οἳ οὐ
 τούτοις ἡκούσι βοηθήσοντες, ἀλλὰ ἡγούμενοι
 πολλὰν ἀδειαν σφίσιν ἔσεσθαι τῶν πεπραγμένων
 καὶ τοῦ λοιποῦ ποιεῖν ὃ τι ἂν βούλωνται, εἰ τοὺς 595
 μεγίστων κακῶν αἰτίους λαβόντες ἀφήσετε.

* Weidn. αὐτῶν ἀξίαν.

§ 8. *To those respectable men who plead for the defendants, I can only say I could wish that they had shown equal zeal to save the city from the tyrants. And to the witnesses in their favour I would say, that they show more courage in taking part against you all than they did when, for fear of Eratosthenes, they shrank from attending the funerals of the proscribed.*

They say that Eratosthenes was the least criminal of the Thirty. But your verdict should rest on this principle, that you will declare openly now whether you approve of what has been done, or are determined to show your anger at it, and exact due punishment.

†. Ἀλλὰ καὶ τῶν συνερούντων αὐτοῖς ἄξιον 86
θαυμάζειν, πότερον ὡς καλοὶ καγαθοὶ αἰτήσονται,
τὴν αὐτῶν ἀρετὴν πλείονος ἀξίαν ἀποφαίνοντες
600 τῆς τούτων πονηρίας· ἐβουλόμην μὲντ' ἂν αὐτοὺς
οὕτω προθύμους εἶναι σφίσι τὴν πόλιν, ὥσπερ
οὔτοι ἀπολλύναι· ἢ ὡς δεινοὶ λέγειν ἀπολογία-
σονται καὶ τὰ τούτων ἔργα πολλοῦ ἄξια ἀπο-
φανοῦσιν. ἀλλ' οὐχ ὑπὲρ ὑμῶν οὐδεὶς αὐτῶν
605 οὐδὲ τὰ δίκαια πώποτε ἐπεχείρησεν εἰπεῖν.
Ἀλλὰ τοὺς μάρτυρας ἄξιον ἰδεῖν, οἳ τούτοις 87
μαρτυροῦντες αὐτῶν κατηγοροῦσι, σφόδρα ἐπι-
λήσμονας καὶ εὐήθεις νομίζοντες ὑμᾶς εἶναι, εἰ
διὰ μὲν τὸ ὑμέτερον πλῆθος ¹⁴ ἀδεῶς ἡγοῦνται
610 τοὺς τριάκοντα σώσειν, διὰ δὲ Ἐρατοσθένην
καὶ τοὺς συνάρχοντας αὐτοῦ δεινὸν ἦν καὶ τῶν
τεθνεώτων ἐπ' ἐκφορὰν ἐλθεῖν. καίτοι οὔτοι μὲν 88
σωθέντες πάλιν ἂν δύναιντο τὴν πόλιν ἀπολέσαι·
ἐκεῖνοι δέ, οὓς οὔτοι ἀπώλεσαν, τελευτήσαντες

¹⁴ τὸ ὑμέτερον πλῆθος Dobr. et Schleib. Alii et MSS. τοῦ ὑμετέρου πλῆθους.

τὸν βίον ^{ὕμῳ} ~~τιμωρίας~~ πέρας ἔχουσι τῆς παρὰ τῶν ἐχθρῶν 615
 τεθνεώτων οἱ φίλοι συναπώλλυντο, αὐτοῖς δὲ
 τοῖς τὴν πόλιν ἀπολέσασιν δήπου ἐπ' ἐκφορὰν
 πολλοὶ ἥξουσιν, ὁπότε βοηθεῖν τοσοῦτοι παρα-
 89 σκευάζονται ; καὶ μὲν δὴ πολλῶν¹⁵ ῥᾶον ἡγοῦμαι 620
 εἶναι ὑπὲρ ὧν ὑμεῖς ἐπάσχετε ἀντειπεῖν, ἢ ὑπὲρ
 ὧν οὗτοι πεποικήκασιν ἀπολογήσασθαι. καίτοι
 λέγουσιν ὡς Ἐρατοσθένει ἐλάχιστα τῶν τριάκοντα
 κακὰ εἰργασται, καὶ διὰ τοῦτο αὐτὸν ἀξιούσι
 σωθῆναι· ὅτι δὲ τῶν ἄλλων Ἑλλήνων πλείστα 625
 εἰς ὑμᾶς ἐξημάρτηκεν, οὐκ οἴονται χρῆναι αὐτὸν
 90 ἀπολέσθαι. ὑμεῖς δὲ δείξετε ἥν τινα γνώμην
 ἔχετε περὶ τῶν πραγμάτων. εἰ μὲν γὰρ τούτου
 καταψηφιεῖσθε, δῆλοι ἔσεσθε ὡς ὀργιζόμενοι τοῖς
πεπραγμένοις· εἰ δὲ ἀποψηφιεῖσθε, ὀφθήσεσθε 630 ✓
 τῶν αὐτῶν ἔργων ἐπιθυμηταὶ τούτοις ὄντες, καὶ
 οὐχ ἔξετε λέγειν ὅτι τὰ ὑπὸ τῶν τριάκοντα
 91 προσταχθέντα ἐποιεῖτε· νυνὶ μὲν γὰρ οὐδεὶς
 ὑμᾶς ἀναγκάζει παρὰ τὴν ὑμετέραν γνώμην ἀπο-
 ψηφίζεσθαι. ὥστε συμβουλεύω μὴ τούτων ἀπο- 635
 ψηφισαμένους ὑμῶν αὐτῶν καταψηφίσασθαι.
 μηδ' οἴεσθε ^{ὕμῳ} κρύβδην εἶναι τὴν ψῆφον· φανεράν
 γὰρ τῇ πόλει τὴν ὑμετέραν γνώμην ποιήσετε.

§ 9. Finally, I appeal to you all, whether you were of the City party or the Peiræus party.

92 Βούλομαι δὲ ὀλίγα ἐκατέρους ἀναμνήσας
 καταβαίνειν, τοὺς τε ἐξ ἄστεος καὶ τοὺς ἐκ 640

¹⁵ πολλῶν Scheide. Al. πολύ. MSS. nonnull. πολλοί.

Πειραιῶς, ἵνα τὰς ὑμῖν διὰ τούτων γεγενημένας
 συμφορὰς ^{πρωτῶν} παραδείγματα ἔχοντες τὴν ψῆφον
 φέρετε.

(1.) *If the first, remember that these men caused you to join in an unnatural and unprofitable war against your friends and relatives.*

Καὶ πρῶτον μὲν ὅσοι ἐξ ἄστεός ἐστε, σκέψασθε
 645 ὅτι ὑπὸ τούτων οὕτω σφόδρα ἤρχεσθε, ὥστε
 ἀδελφοῖς καὶ υἱέσι καὶ πολίταις ἡναγμάζεσθε
 πολεμεῖν τοιοῦτον πόλεμον, ἐν ᾧ ἡττηθέντες μὲν
 τοῖς νικήσασι τὸ ἴσον ἔχετε, νικήσαντες δ' ἂν
 τούτοις ἐδουλεύετε. καὶ τοὺς ἰδίους οἴκους οὗτοι 93
 650 μὲν ἂν ἐκ τῶν πραγμάτων μεγάλους ἐκτήσαντο,
 ὑμεῖς δὲ διὰ τὸν πρὸς ἀλλήλους πόλεμον ἐλάτ-
 τους ἔχετε· συνωφελεῖσθαι μὲν γὰρ ὑμᾶς οὐκ
 ἤξιουν, ^{ἐν τῇ πόλει} συνδιαβάλλεσθαι δ' ἡνάγκαζον, εἰς το-
 σοῦτον ^{ἐν τῇ πόλει} ὑπεροψίας ἐλθόντες ὥστε οὐ τῶν ἀγαθῶν
 655 κοινουμένῳ πιστοὺς ὑμᾶς ἐκτῶντο, ἀλλὰ τῶν
 ὀνειδῶν μεταδιδόντες εὐνους φῶντο εἶναι. ἀνθ' 94
 ὧν ὑμεῖς νῦν ἐν τῷ θαρραλέῳ ὄντες, καθ' ὅσον
 δύνασθε, καὶ ὑπὲρ ὑμῶν αὐτῶν καὶ ὑπὲρ τῶν ἐκ
 Πειραιῶς τιμωρήσασθε, ἐνθυμηθέντες μὲν ὅτι
 660 ὑπὸ τούτων πονηροτάτων ὄντων ἤρχεσθε, ἐνθυ-
 μηθέντες δὲ ὅτι μετ' ἀνδρῶν νῦν ἀρίστων πολι-
 τεύεσθε καὶ τοῖς πολεμίοις μάχεσθε καὶ περὶ
 τῆς πόλεως βουλευέσθε, ἀναμνησθέντες δὲ τῶν
 ἐπικούρων, οὓς οὗτοι φύλακας τῆς σφετέρας
 665 ἀρχῆς καὶ τῆς ὑμετέρας δουλείας εἰς τὴν ἀκρό-
 πολιν κατέστησαν. καὶ πρὸς ὑμᾶς μὲν ἔτι 95
 πολλῶν ὄντων εἰπεῖν τοσαῦτα λέγω.

(2.) *If the latter, remember that by these men you were deprived of your arms : banished from the city : demanded back from the towns in which you had taken refuge : saw your friends dragged to slaughter from market-place and temple, forced to put an end to their own lives, and left unburied ; while those of you who escaped death wandered miserably from place to place, leaving wives and children in foreign lands, or in your own country grown more hostile than they.*

“Οσοι δ’ ἐκ Πειραιῶς ἐστε, πρῶτον μὲν τῶν ὅπλων ἀναμνήσθητε, ὅτι πολλὰς μάχας ἐν τῇ ἀλλοτρίᾳ μαχεσάμενοι οὐχ ὑπὸ τῶν πολεμίων 670 ἀλλ’ ὑπὸ τούτων εἰρήνης οὔσης ἀφηρέθητε τὰ ὅπλα, ἔπειθ’ ὅτι ἐξεκηρύχθητε μὲν ἐκ τῆς πόλεως, ἦν ὑμῖν οἱ πατέρες παρέδωκαν, φεύγοντας δὲ 96 ὑμᾶς ἐκ τῶν πόλεων ἐξητοῦντο. ἀνθ’ ὧν ὀργίσθητε μὲν ὥσπερ ὅτ’ ἐφεύγετε, ἀναμνήσθητε δὲ 675 καὶ τῶν ἄλλων κακῶν ἃ πεπόνθατε ὑπ’ αὐτῶν, οἳ τοὺς μὲν ἐκ τῆς ἀγορᾶς τοὺς δ’ ἐκ τῶν ἱερῶν συναρπάζοντες βιαίως ἀπέκτειναν, τοὺς δὲ ἀπὸ τέκνων καὶ γονέων καὶ γυναικῶν ἀφέλκοντες ~~φονέας αὐτῶν ἠνάγκασαν γενέσθαι καὶ οὐδὲ ταφῆς~~ 680 ~~τῆς νομιζομένης~~ εἶασαν τυχεῖν, ἡγούμενοι τὴν αὐτῶν ἀρχὴν βεβαιότεραν εἶναι τῆς παρὰ τῶν 97 θεῶν τιμωρίας. / ὅσοι δὲ τὸν θάνατον διέφυγον, πολλαχοῦ κινδυνεύσαντες καὶ εἰς πολλὰς πόλεις ~~πλανηθέντες~~ καὶ πανταχόθεν ἐκκηρυττόμενοι, 685 ἐνδεεῖς ὄντες τῶν ἐπιτηδείων, οἳ μὲν ἐν πολεμίᾳ τῇ πατρίδι τοὺς παῖδας καταλιπόντες, οἳ δ’ ἐν ξένῃ γῇ, πολλῶν ἐναντιουμένων ἤλθετε εἰς τὸν Πειραιᾶ. πολλῶν δὲ καὶ μεγάλων κινδύνων

690 ὑπαρξάντων ἄνδρες ἀγαθοὶ γενόμενοι τοὺς μὲν
 ἠλευθερώσατε, τοὺς δ' εἰς τὴν πατρίδα κατη- 98
 γάγετε. εἰ δὲ ~~ἐδυστυχῆσατε~~ ^{κατακρίνατε} καὶ τούτων ἡμάρ-
τετε, αὐτοὶ μὲν ἂν δείσαντες ἐφεύγετε μὴ πάθῃτε
 τοιαῦτα οἷα καὶ πρότερον, καὶ οὐτ' ἂν ἱερὰ οὔτε
 695 βωμοὶ ὑμᾶς ἀδικουμένους διὰ τοὺς τούτων τρό-
 πους ὠφέλησαν, ἃ καὶ τοῖς ἀδικούσι σωτήρια
γίνεται. οἱ δὲ παῖδες ὑμῶν, ὅσοι μὲν ἐνθάδε
 ἦσαν, ὑπὸ τούτων ἂν ὑβρίζοντο, οἱ δ' ἐπὶ ξένης
 μικρῶν ἂν ἔνεκα συμβολαίων ἐδούλευον ἐρημία
 700 τῶν ἐπικουρησόντων.

§ 10. The crimes of these men extend to innumerable particulars, and require not one only, but many accusers to expose them in detail. I have done my best. In the name of everything dear and sacred to you, condemn them.

Ἄλλα γὰρ οὐ τὰ μέλλοντα ἔσεσθαι βού- 99
 λομαι λέγειν, τὰ πραχθέντα ὑπὸ τούτων οὐ
 δυνάμενος εἰπεῖν· οὐδὲ γὰρ ἑνὸς κατηγοροῦ οὐδὲ
 δυοῖν ἔργον ἐστίν, ἀλλὰ πολλῶν. ὁμως δὲ τῆς
 705 ἐμῆς προθυμίας οὐδὲν ἐλλέλειπται, ὑπὲρ τε τῶν
 ἱερῶν, ἃ οὗτοι τὰ μὲν ἀπέδοντο τὰ δ' εἰσιόντες
ἐμίλινον, ὑπὲρ τε τῆς πόλεως, ἣν μικρὰν ἐποιοῦν,
 ὑπὲρ τε τῶν νεωρίων, ἃ καθεῖλον, καὶ ὑπὲρ τῶν
 τεθνεώτων, οἷς ὑμεῖς, ἐπειδὴ ζῶσιν ἐπαμύναι οὐκ
 710 ἠδύνασθε, ἀποθανούσι βοηθήσατε. οἶμαι δ' 100
 αὐτοὺς ἡμῶν τε ἀκροᾶσθαι καὶ ὑμᾶς εἴσεσθαι
 τὴν ψῆφον φέροντας, ἡγουμένους, ὅσοι μὲν ἂν
 τούτων ἀποψηφίσθησθε, αὐτῶν θάνατον κατα-
 ψηφιεῖσθαι, ὅσοι δ' ἂν παρὰ τούτων δίκην

λάβωσιν, ὑπὲρ αὐτῶν τὰς τιμωρίας πεποιη- 715
μένους. Παύσομαι κατηγορῶν. ἀκηρόατε, ἐωρά-
κατε, πεπόνθατε, ἔχετε. δικάζετε.

ORATION VI. [13.]

FOR THE PROSECUTION. AGAINST AGORATUS FOR
HAVING CONSPIRED TO CAUSE THE DEATH OF
DIONYSODORUS DURING THE USURPATION OF
THE THIRTY.

§ 1. *Agoratus acted as an informer under the Thirty, and caused the death of many men, among others of Dionysodorus, my relative by blood and marriage. My quarrel with him, therefore, is exactly yours. He has injured me personally, just as he has injured you all collectively.*

Προσῆκει μέν, ὦ ἄνδρες δικασταί, πᾶσιν
ὑμῖν τιμωρεῖν ὑπὲρ τῶν ἀνδρῶν οἱ ἀπέθανον
εὖνοι ὄντες τῷ πλήθει τῷ ὑμετέρῳ, προσῆκει δὲ
κάμοι οὐχ ἥκιστα· κηδεστῆς γάρ μοι ἦν Διονυ-
σόδωρος καὶ ἀνεψιός. τυγχάνει οὖν ἐμοὶ ἡ 5
αὐτὴ ἔχθρα πρὸς Ἀγόρατον τουτονὶ καὶ τῷ
πλήθει τῷ ὑμετέρῳ ὑπάρχουσα· ἔπραξε γὰρ
οὗτος τοιαῦτα, δι' ἃ ὑπ' ἐμοῦ νυνὶ εἰκότως
μισεῖται, ὑπὸ τε ὑμῶν, ἂν θεὸς θέλῃ, δικαίως
2 τιμωρηθήσεται. Διονυσόδωρον γὰρ τὸν κηδεστὴν 10
τὸν ἐμὸν καὶ ἑτέρους πολλούς, ὧν δὴ τὰ ὀνόματα
ἀκούσεσθε, ἄνδρας ὄντας ἀγαθοὺς περὶ τὸ πλήθος
τὸ ὑμέτερον, ἐπὶ τῶν τριάκοντα ἀπέκτεινε,

μνηυτῆς κατ' ἐκείνων γενόμενος. ποιήσας δὲ
 15 ταῦτα ἐμὲ μὲν ἰδίᾳ καὶ ἕκαστον τῶν προσηκόντων
 μεγάλα ἐξημίωσε, τὴν δὲ πόλιν κοινῇ πᾶσαν
 τοιούτων ἀνδρῶν ἀποστερήσας οὐ μικρά, ὥς ἐγὼ
 νομίζω, ἔβλαψεν. ἐγὼ οὖν, ἄνδρες δικασταί, 3
 δίκαιον καὶ ὅσιον ἡγοῦμαι εἶναι καὶ ἐμοὶ καὶ
 20 ὑμῖν ἅπασι τιμωρεῖσθαι καθ' ὅσον ἕκαστος
 δύναται· καὶ ποιούσι ταῦτα νομίζω ὑμῖν καὶ
 παρὰ θεῶν καὶ παρ' ἀνθρώπων ἄμεινον ἀν
 γίγνεσθαι. δεῖ δ' ὑμᾶς, ὦ ἄνδρες Ἀθηναῖοι, ἐξ
 ἀρχῆς τῶν πραγμάτων ἀπάντων ἀκούσαι, ἵν' 4
 25 εἰδῆτε πρῶτον μὲν ᾧ τρόπῳ ὑμῖν ἡ δημοκρατία
 κατελύθη καὶ ὑφ' ὅτου, ἔπειτα ᾧ τρόπῳ οἱ
 ἄνδρες ὑπ' Ἀγοράτου ἀπέθανον, καὶ δὴ ὃ τι
 ἀποθνήσκειν μέλλοντες ἐπέσκηψαν· ἅπαντα
 γὰρ ταῦτα ἀκριβῶς ἀν μαθόντες ἥδιον καὶ
 30 ὁσιώτερον Ἀγοράτου τουτουὶ καταψηφίζοισθε.
 ὁθεν οὖν ἡμεῖς τε ῥᾶστα διδάξομεν καὶ ὑμεῖς
 μαθήσεσθε, ἐντεῦθεν ὑμῖν ἄρξομαι διηγείσθαι.

§ 2. To understand the part played by Agoratus, we must recall the events of the revolution. Our fleet had been destroyed at *Ægospotami*; the Spartan ships were in the *Peiræus*; negotiations for a peace were begun. The Spartan proposals were, "Peace, if ten stades of the long walls were pulled down." This was intolerable to the people. But *Theramenes* prevailed to have himself appointed ambassador with *carte blanche*. He went: stayed a long time, leaving the people all but starving: returned with still worse terms, "All the long walls to be taken down, all ships to be surrendered, the wall of *Peiræus* to be taken down." The oligarchical party saw

their chance ; they could get entire supremacy if certain men could be got rid of, who resisted these proposals, knowing that they really meant a destruction of the democracy.

- 5 Ἐπειδὴ γὰρ αἱ νῆες αἱ ὑμέτεραι διεφθάρη-
σαν καὶ τὰ πράγματα ἐν τῇ πόλει ἀσθενέστερα
ἐγεγένητο, οὐ πολλῷ χρόνῳ ὕστερον αἷ τε νῆες 35
αἱ Λακεδαιμονίων ἐπὶ τον Πειραιᾷ ἀφικνούνται,
καὶ ἅμα λόγοι πρὸς Λακεδαιμονίους περὶ τῆς
6 εἰρήνης ἐγίγνοντο. ἐν δὲ τῷ χρόνῳ τούτῳ οἱ
βουλόμενοι νεώτερα πράγματα ἐν τῇ πόλει
γίγνεσθαι ἐπεβούλευον, νομίζοντες κάλλιστον 40
καιρὸν εἰληφέναι καὶ μάλιστα ἐν τῷ τότε χρόνῳ
τὰ πράγματα, ὥς αὐτοὶ ἠβούλοντο, καταστή-
7 σεσθαι. ἡγούντο δὲ οὐδὲν ἄλλο σφίσιν ἐμποδῶν
εἶναι ἢ τοὺς τοῦ δήμου προεστηκότας καὶ τοὺς
στρατηγούντας καὶ ταξιαρχούντας. τούτους 45
οὖν ἠβούλοντο ἀμωσγέπως ἐκποδῶν ποιήσασθαι,
ἵνα ῥαδίως ἂ βούλοιντο διαπράττειντο. πρῶτον
μὲν οὖν Κλεοφῶντι ἐπέθεντο ἐκ τρόπου τοιούτου.
8 ὅτε γὰρ ἡ πρώτη ἐκκλησία περὶ τῆς εἰρήνης
ἐγίγνετο, καὶ οἱ παρὰ Λακεδαιμονίων ἦκοντες 50
ἔλεγον ἐφ' οἷς ἔτοιμοι εἶεν τὴν εἰρήνην ποιεῖσθαι
Λακεδαιμόνιοι, εἰ κατασκαφείη τῶν τειχῶν τῶν
μακρῶν ἐπὶ δέκα στάδια ἑκατέρου, τότε ὑμεῖς τε,
ὦ ἄνδρες Ἀθηναῖοι, οὐκ ἠνέσχεσθε ἀκούσαντες
περὶ τῶν τειχῶν τῆς κατασκαφῆς, Κλεοφῶν τε 55
ὑπὲρ ὑμῶν πάντων ἀναστὰς ἀντεῖπεν ὥς οὐδενὶ
9 τρόπῳ οἷόν τε εἶη ποιεῖν ταῦτα. μετὰ δὲ ταῦτα
Θηραμένης, ἐπιβουλεύων τῷ πλήθει τῷ ὑμετέρῳ,
ἀναστὰς λέγει ὅτι, ἐὰν αὐτὸν ἔλησθε περὶ τῆς

- 60 εἰρήνης πρεσβευτὴν αὐτοκράτορα, ποιήσιν¹ ὥστε
 μήτε τῶν τειχῶν διελεῖν μήτε ἄλλο τὴν πόλιν
 ἐλαττώσαι μηδέν· οἷοιτο δὲ καὶ ἄλλο τι ἀγαθὸν
 παρὰ Λακεδαιμονίων τῇ πόλει εὐρήσεσθαι. πει-¹⁰
 σθέντες δὲ ὑμεῖς εἴλεσθε ἐκείνον πρεσβευτὴν
 65 αὐτοκράτορα, ὃν τῷ προτέρῳ ἔτει στρατηγὸν
 χειροτονηθέντα ἀπεδοκιμάσατε, οὐ νομίζοντες
 εὔνουν εἶναι τῷ πλήθει τῷ ὑμετέρῳ. ἐκείνος¹¹
 μὲν οὖν ἐλθὼν εἰς Λακεδαίμονα ἔμεινεν ἐκεῖ
 πολλὸν χρόνον, καταλιπὼν ὑμᾶς πολιορκουμένους,
 70 εἰδὼς τὸ ὑμέτερον πλήθος ἐν ἀπορίᾳ ἐχόμενον
 καὶ διὰ τὸν πόλεμον καὶ τὰ κακὰ τοὺς πολλοὺς
 τῶν ἐπιτηδείων ἐνδεεῖς ὄντας, νομίζων, εἰ διαθείη
 ὑμᾶς ἀπόρως ὥσπερ διέθηκεν, ἀσμένως ὅποιαν-
 τινοῦν ἐθελήσαι ἂν εἰρήνην ποιήσασθαι. οἱ δ'¹²
 75 ἐνθάδε ὑπομένοντες καὶ ἐπιβουλεύοντες καταλύσαι
 τὴν δημοκρατίαν εἰς ἀγῶνα Κλεοφῶντα καθιστᾶσι,
 πρόφασιν μὲν ὅτι οὐκ ἦλθεν εἰς τὰ ὄπλα ἀνα-
 παυσόμενος, τὸ δ' ἀληθὲς ὅτι ἀντεῖπεν ὑπὲρ
 ὑμῶν μὴ καθαιρεῖν τὰ τείχη. ἐκείνῳ μὲν οὖν
 80 δικαστηριον παρασκευάσαντες καὶ εἰσελθόντες
 οἱ βουλόμενοι ὀλιγαρχίαν καταστήσασθαι ἀπέκ-
 τειναν ἐν² τῇ προφάσει ταύτῃ. Θηραμένης δὲ¹³
 ὕστερον ἀφικνεῖται ἐκ Λακεδαίμονος. προσιόντες
 δ' αὐτῷ τῶν τε στρατηγῶν τινες καὶ τῶν ταξι-
 85 ἀρχων, ὧν ἦν Στρομβιχίδης καὶ Διονυσόδωρος,
 καὶ ἄλλοι τινὲς τῶν πολιτῶν εὔνοι ὄντες³ ὑμῖν,

¹ ποιήσιν. Al. ποιήσει.

² ἐν. al. ἐπὶ, quod sæpius in usu est. Alibi autem (Andoc. 30) Lysias scribit δις ἐν τῷ αὐτῷ, sc. ἐγκλήματι, "on the same charge."

³ εὔνοι ὄντες, Cobetius. MSS. edd. εὐνοοῦντες.

ὥς γ' ἐδήλωσαν ὕστερον, ἡγανάκτουν σφόδρα.
 ἦλθε γὰρ φέρων εἰρήνην τοιαύτην, ἣν ἡμεῖς ἔργῳ
 μαθόντες ἔγνωμεν· πολλοὺς γὰρ τῶν πολιτῶν
 καὶ ἀγαθοὺς ἀπώλεσαμεν, καὶ αὐτοὶ ὑπὸ τῶν 90
 14 τριάκοντα ἐξηλάθημεν. ἦν γὰρ ἀντὶ μὲν τοῦ
 ἐπὶ δέκα στάδια τῶν μακρῶν τειχῶν διελεῖν ὅλα
 τὰ μακρὰ τεῖχη κατασκάψαι, ἀντὶ δὲ τοῦ ἄλλο
 τι ἀγαθὸν τῇ πόλει εὑρέσθαι τὰς τε ναῦς παρα-
 δοῦναι τοῖς Λακεδαιμονίοις καὶ τὸ περὶ τὸν 95
 15 Πειραιᾶ τεῖχος περιελεῖν. ὁρῶντες δὲ οὗτοι
 οἱ ἄνδρες ὀνόματι μὲν εἰρήνην λεγομένην,⁴ τῷ δ'
 ἔργῳ τὴν δημοκρατίαν καταλυομένην, οὐκ ἔφασαν
 ἐπιτρέψαι⁵ ταῦτα γενέσθαι, οὐκ ἐλεοῦντες, ὧ
 ἄνδρες Ἀθηναῖοι, τὰ τεῖχη, εἰ πεσεῖται, οὐδὲ 100
 κηδόμενοι τῶν νεῶν, εἰ Λακεδαιμονίοις παρα-
 δοθήσονται (οὐδὲν γὰρ αὐτοῖς τούτων πλέον ἢ
 16 ὑμῶν ἐκάστω προσήκεν), ἀλλ' αἰσθόμενοι ἐκ τοῦ
 τρόπου τούτου τὸ ὑμέτερον πλῆθος καταλυθησό-
 μενον, οὐδ' (ὥς φασί τινες) οὐκ ἐπιθυμοῦντες 105
 εἰρήνην γίγνεσθαι, ἀλλὰ βουλόμενοι βελτίω
 ταύτης εἰρήνην τῷ δήμῳ τῶν Ἀθηναίων ποιή-
 σασθαι. ἐνόμιζον δὲ δυνήσεσθαι, καὶ ἔπραξαν
 ἂν ταῦτα, εἰ μὴ ὑπ' Ἀγοράτου τουτουὶ ἀπώλουντο.

§ 3. Now Theramenes and his party, seeing many opposed to their schemes, determined so to embarrass them by accusations, as practically to get rid of them before the assembly was held to decide about the peace. They

⁴ λεγομένην. Scheide γενομένην. Francken φερομένην.

⁵ ἐπιτρέψαι. Al. ἐπιτρέψειν. Vid. Goodwin, "Moods and Tenses," § 136. *Maan.* [Adv., p. 164] hic et in aliis similibus locis futurum scribere jubet.

therefore got Agoratus into their service as spy, not because he knew the secrets of the Patriotic party (they were not likely to trust him with them), but because he seemed the sort of man for the work. They wished him to seem to give his information unwillingly, that he might be the more believed.

- 110 Γνοὺς δ' ἐνταῦθ' ὁ Θηραμένης καὶ οἱ ἄλλοι 17
οἱ ἐπιβουλεύοντες ὑμῖν, ὅτι εἰσὶ τινες οἳ κωλύ-
σουσι τὸν δῆμον καταλυθῆναι καὶ ἐναντιώσονται
περὶ τῆς ἐλευθερίας, εἴλοντο, πρὶν τὴν ἐκκλησίαν
τὴν περὶ τῆς εἰρήνης γενέσθαι, τούτους πρῶτον
115 εἰς διαβολὰς καὶ κινδύνους καταστήσαι, ἵνα
μηδεὶς ἐκεῖ ὑπὲρ τοῦ ὑμετέρου πλήθους ἀντιλέγοι.
ἐπιβουλήν οὖν τοιαύτην ἐπιβουλεύουσι. πείθουσι 18
γὰρ Ἀγόρατον τουτονὶ μηνυτὴν κατὰ τῶν
στρατηγῶν καὶ τῶν ταξιάρχων γενέσθαι, οὐ
120 ξυνειδότα ἐκείνοις, ὧς ἄνδρες Ἀθηναῖοι, οὐδέν
(οὐ γὰρ δήπου ἐκεῖνοι οὕτως ἀνόητοι ἦσαν καὶ
ἄφιλοι, ὥστε περὶ τηλικούτων ἂν πραγμάτων
πράττοντες Ἀγόρατον ὥς πιστὸν καὶ εὖνουν,
δοῦλον καὶ ἐκ δούλων ὄντα, παρεκάλεσαν), ἀλλ'
125 ἐδόκει αὐτοῖς οὗτος ἐπιτήδειος εἶναι μηνυτῆς.
ἐβούλοντο οὖν ἄκουτα δοκεῖν αὐτὸν καὶ μὴ 19
ἐκόντα μηνύειν, ὅπως πιστότερα ὑμῖν* ὑποφαί-
νοιτο.

§ 4. *I can show that his information, however, was voluntary. You must first bear in mind that the Boulè existing just before the Thirty was corrupt and disloyal, as you may see from the fact that most of its members were also members under the Thirty. So, by means of the Revolutionary party, Theocritus (a friend of Agoratus)*

* *Francken conj.* πιστότερα ἢ μήνυσις φαίνοιτο.

was introduced to the Boulè, and said that he was cognisant of a plot, but could not, as he had taken the oath with them, give the names of the conspirators.

If the Boulè had been loyal, it would have compelled him to give the names. They merely passed a decree for the arrest of Agoratus. The members charged with this business took Agoratus, but allowed him to go on bail. His sureties urged him to fly, and offered to go with him. He refused. He would never have done so, if he had not had full assurance of safety: for he ran the risk of being put to the torture to extract his evidence, and, being an alien, had no country to lose by flying,—neither of which motives applied to his sureties who yet wished to fly. He took sanctuary at Munychia, indeed; but on a second decree being passed, voluntarily left it, and on coming into the senate denounced—no conspirators against the State, but his own sureties, and the taxiarchs and strategi, and other loyal citizens. This I will prove from his own mouth.

Ὡς δὲ ἐκὼν ἐμήνυσσε, καὶ ὑμᾶς οἶμαι ἐκ τῶν
 πεπραγμένων αἰσθήσεσθαι. εἰσπέμπουσι⁶ γὰρ 130
 εἰς τὴν βουλὴν τὴν πρὸ τῶν τριάκοντα βουλευού-
 σαν, Θεόκριτον τὸν τοῦ Ἐλαφοστίκτου καλού-
 μενον· ὁ δὲ Θεόκριτος οὗτος ἐταῖρος ἦν τῷ
 20 Ἀγοράτῳ καὶ ἐπιτήδειος. ἡ δὲ βουλὴ ἢ πρὸ τῶν
 τριάκοντα βουλευούσα διέφθαρτο καὶ ὀλιγα- 135
 ρίας ἐπεθύμει, ὥς ἴστε, μάλιστα. τεκμήριον δέ·
 οἱ γὰρ πολλοὶ⁷ ἐξ ἐκείνης τῆς βουλῆς τὴν ὑστέραν
 βουλὴν τὴν ἐπὶ τῶν τριάκοντα ἐβούλευον. τοῦ
 δ' ἔνεκα ταῦτα λέγω ὑμῖν; ἵν' εἰδῆτε ὅτι τὰ
 ψηφίσματα τὰ ἐξ ἐκείνης τῆς βουλῆς οὐκ ἐπ' 140

⁶ εἰσπέμπουσι Dobree. MS. ἐκπεμπ.

⁷ πολλοί. Scheibe scribit πολλοὶ οἱ. Immo τῶν, si corrigere velis.

εὐνοία τῇ ὑμετέρα ἀλλ' ἐπὶ καταλύσει τοῦ δήμου
 τοῦ ὑμετέρου ἅπαντα ἐλέγετο, καὶ ὡς τοιούτοις
 οὖσιν αὐτοῖς τὸν νοῦν προσέχητε.⁸ εἰσελθὼν δὲ 21
 εἰς ταύτην τὴν βουλὴν ἐν ἀπορρήτῳ Θεόκριτος
 145 μνηύει ὅτι συλλέγονται τινες ἐναντιωσόμενοι τοῖς
 τότε καθισταμένοις πράγμασι. τὰ μὲν οὖν
 ὀνόματα οὐκ ἔφη αὐτῶν εἶναι καθ' ἕκαστον·
 ὄρκους τε γὰρ ὁμωμοκέναι τοὺς αὐτοὺς ἐκείνοις,
 καὶ εἶναι ἐτέρους οἱ ἐροῦσι τὰ ὀνόματα, αὐτὸς δὲ
 150 οὐκ ἂν ποτε ποιῆσαι ταῦτα. καίτοι εἰ μὴ ἐκ 22
 παρασκευῆς ἐμνηύετο, πῶς οὐκ ἂν ἠνάγκασεν ἡ
 βουλὴ εἰπεῖν τὰ ὀνόματα Θεόκριτον καὶ μὴ
 ἀνώνυμον τὴν μήνυσιν ποιήσασθαι; νυνὶ δὲ
 τοῦτο τὸ ψήφισμα ψηφίζεται.⁹

DECREE OF THE BOULÈ FOR THE ARREST OF
 AGORATUS.

155 Ἐπειδὴ τοίνυν τοῦτο τὸ ψήφισμα ἐψηφίσθη, 23
 κατέρχονται ἐπὶ τὸν Ἀγόρατον εἰς τὸν Πειραιᾶ
 οἱ αἰρεθέντες τῶν βουλευτῶν, καὶ περιτυχόντες
 αὐτῷ ἐν ἀγορᾷ ἐζήτουν ἄγειν. παραγενόμενος
 δὲ Νικίας καὶ Νικομένης καὶ ἄλλοι τινές, ὁρῶντες
 160 τὰ πράγματα οὐχ οἷα βέλτιστα ἐν τῇ πόλει
 ὄντα, ἄγειν μὲν τὸν Ἀγόρατον οὐκ ἔφασαν
 προήσεσθαι, ἀφηροῦντο δὲ καὶ ἡγγυῶντο καὶ
 ὠμολόγουν παράξειν εἰς τὴν βουλὴν. γραψά- 24
 μενοι δὲ οἱ βουλευταὶ τὰ ὀνόματα τῶν ἐγγυώ-

⁸ προσέχητε. MSS. μὴ προσέχητε.

⁹ ψηφίζεται Sch. conj. Vulg. ἐψηφίσατο.

μένων καὶ κωλύόντων, ἀπιόντες ᾤχοντο εἰς ἄστυ. 165
 ὁ δὲ Ἀγόρατος καὶ οἱ ἐγγυηταὶ καθίζουσιν ἐπὶ
 τὸν βωμὸν Μουνιχίαςιν· ἐπειδὴ δὲ ἐκεῖ ἦσαν,
 ἐβουλευόντο τί χρὴ ποιεῖν. ἐδόκει οὖν τοῖς
 ἐγγυηταῖς καὶ τοῖς ἄλλοις ἅπασιν ἐκποδῶν ποιή-
 25 σασθαί¹⁰ τὸν Ἀγόρατον ὡς τάχιστα, καὶ παρορ- 170
 μίσαντες δύο πλοῖα Μουνιχίαςιν ἐδέοντο αὐτοῦ
 παντὶ τρόπῳ ἀπελθεῖν Ἀθήνηθεν, καὶ αὐτοὶ
 ἔφασαν συνεκπλευσεῖσθαι, ἕως τὰ πράγματα
 κατασταλή, λέγοντες ὅτι, εἰ κομισθῇ εἰς τὴν
 βουλήν, βασανιζόμενος ἴσως ἀναγκασθήσεται 175
 ὀνόματα εἰπεῖν Ἀθηναίων ὧν ἂν ὑποβάλωσιν οἱ
 βουλόμενοι κακὸν τι ἐν τῇ πόλει ἐργάζεσθαι.
 26 ταῦτα ἐκείνων δεομένων, καὶ παρασκευασάντων
 πλοῖα, καὶ αὐτῶν ἐτοίμων ὄντων συνεκπλεῖν,
 οὐκ ἠθέλησε πείθεσθαι αὐτοῖς Ἀγόρατος οὕτωσί. 180
 καίτοι, ὦ Ἀγόρατε, εἰ μή τί σοι ἦν παρεσκευασ-
 μένον καὶ ἐπίστευες μηδὲν κακὸν πείσεσθαι,
 πῶς οὐκ ἂν ᾤχου καὶ πλοίων παρεσκευασμένων
 καὶ τῶν ἐγγυητῶν ἐτοίμων ὄντων σοι συνεκπλεῖν ;
 ἔτι γὰρ οἶόν τέ σοι ἦν, καὶ οὐπω ἡ βουλή σου 185
 27 ἐκράτει. ἀλλὰ μὲν δὴ οὐχ ὁμοιά γε σοὶ καὶ
 ἐκείνοις ὑπῆρχε. πρῶτον μὲν γὰρ Ἀθηναῖοι
 ἦσαν ὥστε οὐκ ἐδεδίσαν βασανισθῆναι· ἔπειτα
 πατρίδα σφετέραν αὐτῶν καταλιπόντες ἔτοιμοι
 ἦσαν συνεκπλεῖν μετὰ σοῦ, ἡγησάμενοι ταῦτα 190
 μᾶλλον λυσιτελεῖν ἢ τῶν πολιτῶν πολλοὺς καὶ
 ἀγαθοὺς ὑπὸ σοῦ ἀδίκως ἀπολέσθαι. σοὶ δὲ
 πρῶτον μὲν κίνδυνος ἦν βασανισθῆναι ὑπομεί-

¹⁰ ποιήσασθαι. MSS. ποιῆσαι.

ναντι, ἔπειτα οὐ πατρίδα ἂν σαυτοῦ ἀπέλιπες·
 195 ὥστ' ἐκ παντὸς τρόπου σοὶ μᾶλλον ἢ ἐκείνοις 28
 ἐκπλεῦσαι συνέφερεν, εἰ μή τι ἦν ᾧ ἐπίστευες.
 νῦν δὲ ἄκων μὲν προσποιεῖ, ἐκὼν δὲ πολλοὺς καὶ
 ἀγαθοὺς Ἀθηναίων ἀπέκτεινας. ὥς δὲ παρεσ-
 κευάσθη ἅπαντα ἃ ἐγὼ λέγω, καὶ μάρτυρές εἰσι
 200 καὶ αὐτὸ τὸ ψήφισμα σοῦ τὸ τῆς βουλῆς κατα-
 μαρτυρήσει.

DECREE OF THE BOULÈ ORDERING THAT AGORATUS
 BE INDEMNIFIED ON HIS GIVING THE NAMES
 OF THE CONSPIRATORS.

Ἐπειδὴ τοίνυν τοῦτο τὸ ψήφισμα ἐψηφίσθη 29
 καὶ ἦλθον οἱ ἐκ τῆς βουλῆς Μουνιχίαζε, ἐκὼν
 ἀνέστη Ἀγόρατος ἀπὸ τοῦ βωμοῦ· καίτοι νῦν
 205 γε βία φησὶν ἀφαιρεθῆναι. ἐπειδὴ δὲ εἰς τὴν
 βουλὴν ἐκομίσθησαν, ἀπογράφει Ἀγόρατος πρῶ- 30
 τον μὲν τῶν αὐτοῦ ἐγγυητῶν τὰ ὀνόματα, ἔπειτα
 τῶν στρατηγῶν καὶ τῶν ταξιάρχων, ἔπειτα δὲ
 καὶ ἄλλων τινῶν πολιτῶν. ἡ δὲ ἀρχὴ αὕτη τοῦ
 210 παντὸς κακοῦ ἐγένετο. ὥς δὲ ἀπέγραψε τὰ
 ὀνόματα, οἶμαι μὲν καὶ αὐτὸν ὁμολογήσειν· εἰ
 δὲ μή, ἐπ' αὐτοφώρῳ ἐγὼ αὐτὸν ἐξελέγξω.
 Ἀπόκριναι δὴ μοι.

QUESTIONS PUT TO AGORATUS AS TO THE FACT OF
 HIS HAVING GIVEN IN A LIST OF NAMES.

§ 5. *So they went on, Agoratus always being ready*

with fresh names to satisfy the Boulè, though under no compulsion. And the political effect of these denunciations may be gathered from the fact that immediately after them came Lysander and all our humiliations, and the establishment of the Thirty.

Then the denounced men were tried, not by the regular Court, but before the Boulè packed by the Thirty, and with every species of patent injustice condemned and executed, all except Agoratus, who was released as a public benefactor.

- 31 Ἐβούλοντο τοίνυν, ὦ ἄνδρες δικασταί, ἔτι
 πλειόνων αὐτὸν τὰ ὀνόματα ἀπογράψαι· οὕτω 215
 σφόδρα ἔρρωτο ἡ βουλὴ κακὸν τι ἐργάζεσθαι,
 καὶ αὐτὸς οὐκ ἑδόκει αὐτοῖς ἅπαντα τάληθῇ πω
 κατειρηκέναι.¹¹ τούτους μὲν οὖν ἅπαντας ἐκὼν
 ἀπογράφει, οὐδεμιᾶς αὐτῷ ἀνάγκης οὔσης.¹²
- 32 ἐπειδὴ δὲ ἡ ἐκκλησία Μουνιχίαςιν ἐν τῷ θεάτρῳ 220
 ἐγίγνετο, οὕτω σφόδρα τινὲς ἐπεμελοῦντο ὅπως
 καὶ ἐν τῷ δήμῳ περὶ τῶν στρατηγῶν καὶ τῶν
 ταξιάρχων μήνυσις γένοιτο (περὶ δὲ τῶν ἄλλων
 ἀπέχρη ἡ ἐν τῇ βουλῇ γεγενημένη), ὥστε καὶ
 ἐκεῖ παράγουσιν εἰς τὸν δῆμον. Καὶ μοι ἀπό- 225
 κριναι, ὦ Ἀγόρατε· ἀλλ' οὐκ οἶμαί σε ἔξαρνον
 ἂν¹³ γενέσθαι ἂ ἐναντίον Ἀθηναίων ἀπάντων
 ἐποίησας.

¹¹ κατειρηκέναι Cobet, Var. Lect., p. 37. Vulg. κατηγορηκέναι. Confert ille, § 50. II. 35. Sed vid. § 56, ubi Agoratus εἰσαγγεῖλαι dicitur.

¹² Sequebatur μετὰ τοῦτο προσαπογράφει ἐτέροισι τῶν πολιτῶν, vid. § 56.

¹³ ἀλλ' οἶμαι MS. quod Weidn., R., alii sequuntur. ἂν Sch. Cobet vult γενήσεσθαι. MSS. om. ἂν.

QUESTIONS PUT TO AGORATUS AS TO SUBSEQUENT
LIST OF NAMES GIVEN BY HIM.

Ὁμολογεῖ μὲν καὶ αὐτός, ὅμως δὲ καὶ τὰ 33
230 ψηφίσματα ὑμῖν τοῦ δήμου ἀναγνώσεται.

DECREES OF THE BOULÈ FOR ARREST OF MEN
DENOUNCED BY AGORATUS.

Ὅτι μὲν ἀπέγραψεν Ἀγόρατος οὕτοσιν τῶν
ἀνδρῶν ἐκείνων τὰ ὀνόματα, καὶ τὰ ἐν τῇ βουλῇ
καὶ τὰ ἐν τῷ δήμῳ, καὶ ἔστι φονεὺς ἐκείνων,
σχεδόν τι οἶμαι ὑμᾶς ἐπίστασθαι· ὥς τοίνυν
235 ἀπάντων τῶν κακῶν αἴτιος τῇ πόλει ἐγένετο καὶ
οὐδ' ὑφ' ἐνὸς αὐτὸν προσήκει ἐλεεῖσθαι, ἐγὼ
οἶμαι ὑμῖν ἐν κεφαλαίοις ἀποδείξειν. ἐπειδὴ 34
γὰρ ἐκείνοι συλληφθέντες ἐδέθησαν, τότε καὶ ὁ
Λύσανδρος εἰς τοὺς λιμένας τοὺς ὑμετέρους
240 εἰσέπλευσε, καὶ αἱ νῆες αἱ ὑμέτεραι Λακεδαι-
μονίοις παρεδόθησαν, καὶ τὰ τεῖχη κατεσκάφη,
καὶ οἱ τριάκοντα κατέστησαν, καὶ τί οὐ τῶν
δεινῶν τῇ πόλει ἐγένετο ; ἐπειδὴ τοίνυν οἱ τριά- 35
κοντα κατεστάθησαν, εὐθέως κρίσιν τοῖς ἀνδράσι
245 τούτοις ἐποιοῦν ἐν τῇ βουλῇ, ὁ δὲ δῆμος ἐν τῷ
δικαστηρίῳ ἐν δισχιλίοις ἐψηφίσατο. Καὶ μοι
ἀνάγνωθι τὸ ψήφισμα.

DECREE OF THE REVOLUTIONARY BOULÈ FOR THE
TRIAL OF THE DENOUNCED MEN.

Εἰ μὲν οὖν ἐν τῷ δικαστηρίῳ ἐκρίνοντο, ῥαδίως 36

ἂν ἐσώζοντο· ἅπαντες γὰρ ἤδη ἐγνωκότες ἦτε
 οὐ ἦν κακοῦ ἢ πόλις, ἐν ᾧ οὐδὲν ἔτι ὠφελεῖν 250
 ἐδύνασθε· νῦν δ' εἰς τὴν βουλὴν αὐτοὺς τὴν ἐπὶ
 τῶν τριάκοντα εἰσάγουσιν. ἡ δὲ κρίσις τοιαύτη
 37 ἐγένετο, οἷαν καὶ ὑμεῖς αὐτοὶ ἐπίστασθε. οἱ
 μὲν γὰρ τριάκοντα ἐκάθηντο ἐπὶ τῶν βάθρων,
 οὐ νῦν οἱ πρυτάνεις καθέζονται· δύο δὲ τραπέζα 255
 ἐν τῷ πρόσθεν τῶν τριάκοντα ἐκείσθην· τὴν δὲ
 ψῆφον οὐκ εἰς καδίσκους ἀλλὰ φανεράν ἐπὶ τὰς
 τραπέζας ταύτας ἔδει τίθεσθαι, τὴν μὲν καθαι-
 ροῦσαν ἐπὶ τὴν ὑστέραν . . . ¹⁴ ὥστε ἐκ τίνος
 38 τρόπου ἔμελλέ τις αὐτῶν σωθήσεσθαι; ἐνὶ δὲ 260
 λόγῳ, ὅσοι εἰς τὸ βουλευτήριον ἐπὶ τῶν τριάκοντα
 εἰσῆλθον κριθησόμενοι, ἀπάντων θάνατος κα-
 τεγινώσκετο καὶ οὐδενὸς ἀπεψηφίσαντο, πλήν
 Ἀγοράτου τουτουῦ· τοῦτον δὲ ἀφείσαν ὡς εὐερ-
 γέτην ὄντα· ἵνα δὲ εἰδῆτε ὡς πολλοὶ ὑπὸ τούτου 265
 τεθνήσκει, βούλομαι ὑμῖν τὰ ὀνόματα αὐτῶν
 ἀναγνῶναι.

SCHEDULE OF NAMES OF THE CONDEMNED,
 AGORATUS NOT INCLUDED.

§ 6. Among the condemned was my brother-in-law
 Dionysodorus; who sent for my sister to take a last
 farewell, and receive his last instructions. In her pre-
 sence he charged Agoratus with being his murderer:
 and left injunctions with me and his own brother to avenge
 his death on Agoratus.

¹⁴ Deest nescio quid. Fortasse τὴν δὲ σώζουσιν ἐπὶ τὴν
 προτέραν (Reiske). Vulg. τὴν μὲν ἐπὶ τὴν πρώτην τὴν δὲ κ.
 ἐπὶ τὴν ὑστέραν.

Ἐπειδὴ τοίνυν, ὦ ἄνδρες δικασταί, θάνατος 39
 αὐτῶν κατεγνώσθη καὶ ἔδει αὐτοὺς ἀποθνήσκειν,
 270 μεταπέμπονται εἰς τὸ δεσμωτήριον ὁ μὲν ἀδελφὴν,
 ὁ δὲ μητέρα, ὁ δὲ γυναῖκα, ὁ δ' ἢ τις ἦν ἐκάστω
 αὐτῶν προσήκουσα, ἵνα τὰ ὕστατα ἀσπασάμενοι
 τοὺς αὐτῶν οὕτω τὸν βίον τελευτήσκειαν. καὶ δὴ
 καὶ Διονυσόδωρος μεταπέμπεται τὴν ἀδελφὴν 40
 275 τὴν ἐμὴν εἰς τὸ δεσμωτήριον, γυναῖκα ἑαυτοῦ
 οὖσαν. πυθομένη δ' ἐκείνῃ ἀφικνεῖται, μέλαν
 τε ἱμάτιον ἡμφιεσμένη,* ὥς εἰκὸς ἦν ἐπὶ τῷ
 ἀνδρὶ αὐτῆς τοιαύτῃ συμφορᾷ κεχρημένῳ. ἐναν- 41
 τίου δὲ τῆς ἀδελφῆς τῆς ἐμῆς Διονυσόδωρος τὰ
 280 τε οἰκεῖα τὰ αὐτοῦ διέθετο ὅπως αὐτῷ ἐδόκει,
 καὶ περὶ Ἀγοράτου τουτουὶ ἔλεγεν ὅτι αἴτιος ἦν
 τοῦ θανάτου, καὶ ἐπέσκηπτεν ἐμοὶ καὶ Διονυσίῳ
 τουτωί, τῷ ἀδελφῷ τῷ αὐτοῦ, καὶ τοῖς φίλοις
 πᾶσι τιμωρεῖν ὑπὲρ αὐτοῦ Ἀγόρατον· καὶ τῇ 42
 285 γυναικὶ τῇ αὐτοῦ ἐπέσκηπτε, νομίζων αὐτὴν
 κυεῖν¹⁵ ἐξ αὐτοῦ, ἐὰν γένηται αὐτῇ παιδίον,
 φράζειν τῷ γενομένῳ ὅτι τὸν πατέρα αὐτοῦ
 Ἀγόρατος ἀπέκτεινε, καὶ κελεύειν τιμωρεῖν ὑπὲρ
 αὐτοῦ ὥς φονέα ὄντα. ὥς οὖν ἀληθῆ λέγω,
 290 μάρτυρας τούτων παρέξομαι.

WITNESSES AS TO THE WORDS OF DIONYSODORUS
 WHEN UNDER SENTENCE OF DEATH.

§ 7. *Then followed, as you know, the murder of the men from Salamis and from Eleusis; the miserable*

¹⁵ κυεῖν, al. κύειν. Incertum utrum κύω an κύνω magis Atticum sit.

* καὶ ἀποκειραμένη Kayz. καὶ δεδακρυμένη W.

deaths of innumerable citizens of all ages ; the occupation of the Acropolis by the Spartans ; the utter degradation of our city to the level of the meanest ; in a word, the destruction of the State by the Thirty. All followed the death of these men, whom Agoratus denounced, as is proved by the very words of his acquittal by the Thirty.

- 43 Οὗτοι μὲν τοίνυν, ὦ ἄνδρες Ἀθηναῖοι, ὑπ' Ἀγοράτου ἀπογραφέντες ἀπέθανον· ἐπειδὴ δὲ τοὺς ἐκποδῶν ἐποιήσαντο οἱ τριάκοντα, σχεδὸν οἶμαι ὑμᾶς ἐπίστασθαι ὥς πολλὰ καὶ δεινὰ μετὰ ταῦτα τῇ πόλει ἐγένετο· ὧν οὗτος ἀπάντων αἰτιός 295 ἔστιν, ἀποκτείνας ἐκείνους. ἀνιῶμαι μὲν οὖν ὑπομιμνήσκων τὰς γεγενημένας συμφορὰς τῇ
- 44 πόλει, ἀνάγκη δ' ἐστίν, ὦ ἄνδρες δικασταί, ἐν τῷ παρόντι καιρῷ, ἵν' εἰδῆτε ὥς σφόδρα ὑμῖν ἐλεεῖν προσήκει Ἀγόρατον. ἴστε μὲν γὰρ τοὺς ἐκ 300 Σαλαμῖνος τῶν πολιτῶν κομισθέντας, οἳ ἦσαν καὶ ὅσοι, καὶ οἷον ὀλέθρῳ ὑπὸ τῶν τριάκοντα ἀπώλοντο· ἴστε δὲ τοὺς ἐξ Ἐλευσίνος, ὥς πολλοὶ ταύτῃ τῇ συμφορᾷ ἐχρήσαντο· μέμνησθε δὲ καὶ τοὺς ἐνθάδε διὰ τὰς ἰδίας ἔχθρας ἀπαγομένους 305
- 45 εἰς τὸ δεσμωτήριον· οἳ οὐδὲν κακὸν τὴν πόλιν ποιήσαντες ἠναγκάζοντο αἰσχίστῳ καὶ ἀκλεεστάτῳ ὀλέθρῳ ἀπόλλυσθαι, οἳ μὲν γονέας¹⁶ πρεσβύτας καταλείποντες, οἳ ἠλπίζον ὑπὸ τῶν σφετέρων αὐτῶν παίδων γηροτροφηθέντες, ἐπειδὴ 310 τελευτήσκειαν τὸν βίον, ταφήσεσθαι, οἳ δὲ ἀδελφὰς ἀνεκδότους, οἳ δὲ παῖδας μικροὺς πολλῆς

¹⁶ Sequebatur σφετέρους αὐτῶν quod ferri non potest si respicias σφετέρων αὐτῶν modo non adjuncta. Scheibe uncis inclusit.

ἔτι θεραπείας δεομένους· οὓς, ὦ ἄνδρες δικασταί, ⁴⁶
 ποίαν τινὰ οἴεσθε γνώμην περὶ τούτου ἔχειν, ἥ
 315 ποίαν τινὰ ἂν ψῆφον θέσθαι, εἰ ἐπ' ἐκείνοις
 γένοιτο, ἀποστερηθέντας διὰ τοῦτον τῶν ἡδίστων;
 ἔτι δὲ τὰ τείχη ὥς κατεσκάφη, καὶ αἱ νῆες τοῖς
 πολεμίοις παρεδόθησαν, καὶ τὰ νεώρια καθηρέθη,
 καὶ Λακεδαιμόνιοι τὴν ἀκρόπολιν ὑμῶν εἶχον, καὶ
 320 ἡ δύναμις ἅπασα τῆς πόλεως παρελύθη, ὥστε
 μηδὲν διαφέρειν τῆς ἐλαχίστης πόλεως τὴν πόλιν.
 πρὸς δὲ τούτοις τὰς ἰδίας οὐσίας ἀπωλέσατε, καὶ ⁴⁷
 τὸ τελευταῖον συλλήβδην ἅπαντες ὑπὸ τῶν τριά-
 κοντα ἐκ τῆς πατρίδος ἐξηλάθητε. ταῦτα ἐκείνοι
 325 οἱ ἀγαθοὶ ἄνδρες αἰσθόμενοι οὐκ ἔφασαν ἐπιτρέψαι
 τὴν εἰρήνην, ὦ ἄνδρες δικασταί, ποιήσασθαι· οὓς ⁴⁸
 σύ, Ἀγόρατε, βουλομένους ἀγαθὸν τι πράξαι τῇ
 πόλει ἀπέκτεινας, μηνύσας αὐτοὺς τῇ πόλει
 ἐπιβουλεύειν,¹⁷ καὶ αἴτιος εἰ ἀπάντων τῇ πόλει
 330 τῶν κακῶν τῶν γεγεννημένων. νῦν οὖν μνησθέντες
 καὶ τῶν ἰδίων ἕκαστος δυστυχημάτων καὶ τῶν
 κοινῶν τῆς πόλεως, τιμωρεῖσθε τὸν αἴτιον τούτων.
 Θαυμάζω δ' ἔγωγε, ὦ ἄνδρες δικασταί, ὃ τί ⁴⁹
 ποτε τολμήσει πρὸς ὑμᾶς ἀπολογεῖσθαι· δεῖ γὰρ
 335 αὐτὸν ἀποδείξαι ὥς οὐ κατεμήνυσε τῶν ἀνδρῶν
 τούτων οὐδ' αἴτιος αὐτοῖς ἐστὶ τοῦ θανάτου, ὃ
 οὐκ ἂν δύναίτο οὐδέποτε ἀποδείξαι.¹⁸ πρῶτον μὲν ⁵⁰
 γὰρ τὰ ψηφίσματα αὐτοῦ τὰ ἐκ τῆς βουλῆς καὶ
 τοῦ δήμου καταμαρτυρεῖ, διαρρήδην ἀγορεύοντα

¹⁷ Sequebantur τῷ πλήθει τῷ ὑμετέρῳ. Quomodo constru-
 antur cum σὺ . . ἀπέκτεινας . . αἴτιος εἰ nescio. Scheibe uncis
 inclusit.

¹⁸ ἀποδείξαι. Scheibe uncis inclusit.

περὶ ὧν Ἀγόρατος κατείρηκεν· ἔπειτα ἡ κρίσις, 340
 ἣν ἐκρίθη ἐπὶ τῶν τριάκοντα καὶ ἀφείθη, διαρ-
 ρήδην λέγει, “διότι” φησὶν “ἔδοξε τάληθῇ
 εἰσαγγεῖλαι.” Καί μοι ἀνάγνωθι.

DECREES OF BOULÈ; PRECIS OF TRIALS;
 COPIES OF THE INDICTMENTS READ.

§ 8. *As it is plain that he did denounce these men, there remain but three pleas for him to urge:—*

(1.) *That he was right to denounce them as disloyal to the State. But if they had been so, would the Thirty have killed them?*

51 Ὡς μὲν οὖν οὐκ ἀπέγραψεν, οὐδενὶ τρόπῳ
 δύναται ἂν ἀποδεῖξαι· δεῖ τοίνυν αὐτὸν ὡς δικαίως 345
 ἐμήνυσσε ταῦτα ἀποφαίνειν, ὁρῶν αὐτοὺς πονηρὰ
 καὶ οὐκ ἐπιτήδεια τῷ δήμῳ τῷ ὑμετέρῳ πρᾶτ-
 τουτας. οἴομαι δ' οὐδ' ἂν τοῦτο αὐτὸν ἐπιχειρήσαι
 ἀποδεικνύναι. οὐ γὰρ δήπου, εἴ τι κακὸν τὸν
 δῆμον τῶν Ἀθηναίων εἰργάσαντο, οἱ τριάκοντα, 350
 δεδιότες μὴ καταλυθελήν ἂν¹⁹ ὁ δῆμος, τιμωροῦντες
 ὑπὲρ τοῦ δήμου ἂν αὐτοὺς ἀπέκτειναν, ἀλλ' οἶμαι
 πολὺ τοῦναντίον τούτου.

(2.) *That he acted against his will.*

To this I answer: First, This is not a valid excuse in the case of great public crime. Second, If it were so, why did he not remain in Sanctuary? Or why did he not fly as his

¹⁹ *ἀν* scripsit Markland. MSS. καταλυθελήσαν. Cf. Goodwin, “Moods and Tenses,” p. 83.

sureties urged him to do? Or why did he not share the same fate as others summoned on the same charge before the Boulè?

‘Αλλ’ ἴσως φήσει ἄκων τοσαῦτα κακὰ ἐργά- 52
 355 σασθαι. ἐγὼ δ’ οὐκ οἶμαι, ὦ ἄνδρες δικασταί,
 οὐδ’ ἐάν τις ὑμᾶς ὡς μάλιστα ἄκων μεγάλα κακὰ
 ἐργάσῃται, ὧν μὴ οἶόν τε γενέσθαι ἐστὶν ὑπερ-
 βολήν, οὐ τούτου ἕνεκα οὐ δεῖν ὑμᾶς ἀμύνεσθαι.
 εἰτα δὲ καὶ ἐκείνων μέμνησθε, ὅτι ἐξῆν Ἀγοράτῳ
 360 τουτωί, πρὶν εἰς τὴν βουλὴν κομισθῆναι, ὅτ’ ἐπὶ
 τοῦ βωμοῦ ἐκάθητο Μουνιχίασι, σωθῆναι· καὶ
 γὰρ πλοῖα παρεσκεύαστο καὶ οἱ ἐγγυηταὶ ἔτοιμοι
 ἦσαν συναπιέναι. καίτοι εἰ ἐκείνοις ἐπίθου καὶ 53
 ἡθέλησας ἐκπλεῦσαι μετ’ ἐκείνων, οὐτ’ ἂν ἐκὼν
 365 οὔτε ἄκων τοσούτους Ἀθηναίων ἀπέκτεινας· νῦν
 δὲ πεισθεῖς ὑφ’ ὧν τότε ἐπείσθης, εἰ τῶν στρα-
 τηγῶν καὶ τῶν ταξιάρχων τὰ ὀνόματα μόνον
 εἴποις, μέγα τι ᾧου παρ’ αὐτῶν διάπραξασθαι.
 οὐκουν τούτου ἕνεκα δεῖ σε παρ’ ἡμῶν συγγνώμης
 370 τινὸς τυχεῖν, ἐπεὶ οὐδὲ ἐκείνοι παρὰ σοῦ οὐδεμιᾶς
 ἔτυχον, οὐδς σὺ ἀπέκτεινας. καὶ Ἰππίας μὲν ὁ 54
 Θάσιος καὶ Ξενοφῶν ὁ Ἰκαριεύς,²⁰ οἱ ἐπὶ τῇ
 αὐτῇ αἰτίᾳ τούτῳ ὑπὸ τῆς βουλῆς μετεπεμφθησαν,
 οὗτοι μὲν ἀπέθανον, ὁ μὲν στρεβλωθεὶς, Ξενοφῶν,
 375 ὁ δὲ Ἰππίας οὕτω²¹ . . . , διότι οὐκ ἄξιοι ἐδόκουν
 τοῖς τριάκοντα σωτηρίας εἶναι (οὐδένα γὰρ Ἀθη-
 ναίων ἀπώλλυσαν). Ἀγόρατος δὲ ἀφείθη, διότι
 ἐδόκει ἐκείνοις τὰ ἥδιστα πεποικέναι.

²⁰ Ἰκαριεύς sc. e demo Ἰκαρία tribus Ægeidos. MSS. Καριεύς, al. Καριδεύς. Vid. St. Byz. Καρίς καὶ Καρίδες Φρυγίας πόλις.

²¹ Nescio quid deesse videtur : fortasse οὕτως ὡς ἴστε (Rauch.).

(3.) *To lay the blame on Menestratus.*

But the fact is that Menestratus was forced to denounce others to save his own life, which had been put in danger by the information of Agoratus. He was afterwards justly executed as a murderer. How much more does Agoratus deserve the same fate, as the original cause of the whole mischief!

- 55 Ἀκούω δ' αὐτὸν καὶ εἰς Μενέστρατον ἀνα-
φέρειν τι περὶ τῶν ἀπογραφῶν τούτων. τὸ δὲ τοῦ 380
Μενεστράτου πρᾶγμα τοιοῦτον ἐγένετο. ὁ Μενέ-
στρατος οὗτος ἀπεγράφη ὑπὸ τοῦ Ἀγοράτου καὶ
συλληφθεὶς ἐδέδετο· Ἀγνόδωρος δ' ἦν Ἀμφι-
τροπαιεύς, δημότης τοῦ Μενεστράτου, Κριτίου
κηδεστής τοῦ τῶν τριάκοντα. οὗτος οὖν, ὅτε ἡ 385
ἐκκλησία Μουνυχίαςιν ἐν τῷ θεάτρῳ ἐγίνετο,
ἅμα μὲν βουλόμενος τὸν Μενέστρατον σωθῆναι,
ἅμα δὲ ὡς πλείστους ἀπογραφέντας ἀπολέσθαι,
παράγει αὐτὸν εἰς τὸν δῆμον, καὶ εὐρίσκονται
αὐτῷ κατὰ τὸ ψήφισμα τουτὶ ἄδειαν. 390

DECREE OF INDEMNITY TO MENESTRATUS READ.

- 56 Ἐπειδὴ δὲ τοῦτο τὸ ψήφισμα ἐγένετο, μηνύει
ὁ Μενέστρατος καὶ προσαπογράφει ἑτέρους τῶν
πολιτῶν. τοῦτον μέντοι οἱ μὲν τριάκοντα ἀφεί-
σαν ὥσπερ Ἀγόρατον τουτονί, δόξαντα τάληθῇ
εἰσαγγεῖλαι, ὑμεῖς δὲ πολλῷ χρόνῳ ὕστερον 395
λαβόντες ἐν δικαστηρίῳ ὡς ἀνδροφόνον ὄντα,
θάνατον δικαίως καταψηφισάμενοι, τῷ δημῷ
57 παρέδοτε, καὶ ἀπετυμπανίσθη. καίτοι εἰ ἐκεῖνος
ἀπέθανεν, ἥ που Ἀγοράτος γε δικαίως ἀποθα-

400 νεῖται, ὃς γε τὸν τε Μενέστρατον ἀπογράψας
αἷτιος ἐκείνῳ ἐστὶ τοῦ θανάτου, καὶ τοῖς ὑπὸ
Μενεστράτου ἀπογραφεῖσι τίς αἰτιώτερος ἢ ὁ εἰς
τοιαύτην ἀνάγκην ἐκείνον καταστήσας ;

§ 9. *How different the conduct of your surety Aristophanes ! He, when denounced by you, refused to save his life by falsely accusing loyal citizens.*

Ἀνόμοιος δέ μοι δοκεῖ Ἀριστοφάνει γενέσθαι 58
405 τῷ Χολλείδῃ, ὃς ἐγγυητὴς τότε τούτου ἐγένετο
καὶ τὰ πλοῖα παρασκευάσας Μουνιχίαςιν ἔτοιμος
ἦν συνεκπλεῖν μετὰ τούτου. καὶ τό γε ἐπ'
ἐκείνον εἶναι ἐσώθης, καὶ οὐτ' ἂν Ἀθηναίων
οὐδένα ἀπώλεσας οὐτ' ἂν αὐτὸς σὺ εἰς τοιούτους
410 κινδύνους κατέστης· νῦν δὲ καὶ τὸν σωτήρα τὸν 59
σαυτοῦ ἐτόλμησας ἀπογράψαι, καὶ ἀπογράψας
ἀπέκτεινας καὶ ἐκείνον καὶ τοὺς ἄλλους ἐγγυητάς.
τοῦτον μέντοι ὥς οὐ καθαρῶς²² Ἀθηναῖον ὄντα
ἐβούλοντό τινες βασανισθῆναι, καὶ τουτὶ τὸ
415 ψήφισμα τὸν δῆμον ἀναπείθουσι ψηφίζεσθαι.

DECREE FOR EXAMINING ARISTOPHANES BY TORTURE.

Μετα τοῦτο τοῖνυν προσιόντες τῷ Ἀριστοφάνει 60
οἱ πράττοντες τότε τὰ πράγματα ἐδέοντο αὐτοῦ
κατειπεῖν καὶ σώζεσθαι, καὶ μὴ κινδυνεύειν ἀγω-
νισάμενον τῆς ξενίας τὰ ἔσχατα παθεῖν. ὁ δὲ
420 οὐκ ἔφη οὐδέποτε· οὕτω χρηστὸς ἦν καὶ περὶ

²² καθαρῶς. Vulg. καλῶς.

τοὺς δεδεμένους καὶ περὶ τὸν δῆμον τῶν Ἀθη-
ναίων, ὥστε εἴλετο μᾶλλον ἀποθανεῖν ἢ κατειπεῖν
καὶ ἀδίκως τινὰς ἀπολέσαι. ἐκείνος μὲν τοίνυν
61 καὶ ὑπὸ σοῦ ἀπολλύμενος τοιουτοσὶ ἐγένετο καὶ
Ξενοφῶν ὁ στρεβλωθεὶς καὶ Ἰππίας ὁ Θάσιος· 425
σὺ δ' οὐδὲν τοῖς ἀνδράσιν ἐκείνοις συνειδώς,
πεισθεὶς δὲ ὡς σύ γε, ἂν ἐκείνοι ἀπόλωνται,
μεθέξεις τῆς τότε πολιτείας καθισταμένης, ἀπέ-
γραφες καὶ ἀπέκτεινας Ἀθηναίων πολλοὺς καὶ
ἀγαθοὺς. 430

§ 10. Various aggravations of the crime of Agoratus.

(a) The character of the men thus destroyed,—men who had held the highest offices, and performed the most illustrious services. Some who, denounced by him, fled, have now been received back by the State with the highest honour.

62 Βούλομαι δ' ὑμῖν, ὦ ἄνδρες δικασταί, ἐπιδείξαι
οἷων ἀνδρῶν ὑπ' Ἀγοράτου ἀπεστέρησθε. εἰ
μὲν οὐ πολλοὶ ἦσαν, καθ' ἕκαστον ἂν περὶ
αὐτῶν ἠκούετε, νῦν δὲ συλλήβδην περὶ πάντων.
οἱ μὲν γὰρ στρατηγῆσαντες ὑμῖν πολλάκις μείζω 435
τὴν πόλιν τοῖς διαδεχομένοις στρατηγοῖς παρε-
δίδοσαν.* οἱ δ' ἑτέρας μεγάλας ἀρχὰς ἄρξαντες
καὶ τριηραρχίας πολλὰς τριηραρχήσαντες οὐδε-
πώποτε ὑφ' ὑμῶν οὐδεμίαν αἰτίαν αἰσχροὺς ἔσχον.
63 οἱ δ' αὐτῶν περιγενόμενοι καὶ σωθέντες, οὓς οὗτος 440
μὲν ἀπέκτεινεν ὡμῶς καὶ θάνατος αὐτῶν κατε-
γνώσθη, ἡ δὲ τύχη καὶ ὁ δαίμων περιεποίησε·
φυγόντες γὰρ ἐνθένδε καὶ οὐ συλληφθέντες γε
οὐδὲ ὑπομείναντες τὴν κρίσιν, κατελθόντες ἀπὸ
Φυλῆς τιμῶνται ὑφ' ὑμῶν ὡς ἄνδρες ἀγαθοὶ ὄντες. 445

* Cobet exclusit στρατηγοῖς. Francken legit παρέδοσαν.

(b) *And the man who thus practically killed so many free citizens was a slave and a son of slaves.*

Τούτους μέντοι τοιούτους ὄντας Ἀγόρατος τοὺς 64
 μὲν ἀπέκτεινε, τοὺς δὲ φυγάδας ἐντεῦθεν ἐποίησε,
 τίς ὦν αὐτός; δεῖ γὰρ ὑμᾶς εἰδέναι ὅτι δούλος
 καὶ ἐκ δούλων ἐστίν, ἵν' εἰδῆτε οἷος ὦν ὑμᾶς
 450 ἐλυμαίνεται. τούτῳ μὲν γὰρ πατὴρ ἦν Εὐμάρης,
 ἐγένετο δὲ ὁ Εὐμάρης οὗτος Νικοκλέους καὶ
 Ἀντικλέους. Καί μοι ἀνάβητε μάρτυρες.

WITNESSES TO THE FACT OF THE SERVILE ORIGIN OF AGORATUS.

(c) *His private life and whole career have been a shameful succession of sycophancies and debaucheries,—many of them legally punishable with death.*

Πολλὰ τοίνυν, ὦ ἄνδρες δικασταί, ὅσα κακὰ 65
 καὶ αἰσχρὰ καὶ τούτῳ καὶ τοῖς τούτου ἀδελφοῖς
 455 ἐπιτετήδευται, πολὺ ἂν εἴη ἔργον λέγειν. περὶ
 δὲ συκοφαντίας, ὅσας οὗτος ἢ δίκας ἰδίας συκο-
 φαντῶν ἐδικάζετο ἢ γραφὰς ὅσας ἐγράφετο ἢ
 ἀπογραφὰς ἀπέγραφεν, οὐδὲν με δεῖ καθ' ἕκαστον
 λέγειν· συλλήβδην γὰρ ὑμεῖς ἅπαντες καὶ ἐν τῷ
 460 δήμῳ καὶ ἐν τῷ δικαστηρίῳ συκοφαντίας αὐτοῦ
 κατέγνωτε καὶ ὥφλησεν ὑμῖν μυρίας δραχμάς,
 ὥστε τοῦτο μὲν ἱκανῶς ὑπὸ ὑμῶν ἀπάντων μεμαρ- 66
 τύρηται. γυναῖκας τοίνυν τῶν πολιτῶν τοιούτος
 ὦν μοιχεύειν καὶ διαφθείρειν ἐλευθέρας ἐπεχείρησε,
 465 καὶ ἐλήφθη μοιχός· καὶ τούτου θάνατος ἢ ζημία
 ἐστίν. Ὡς δὲ ἀληθῆ λέγω, μάρτυρας κάλει.

EVIDENCE OF THE ABANDONED LIFE OF AGORATUS.

(d) *The lives of his three brothers have been equally shameful, and have all ended in a disgraceful death.*

67 Ἦσαν τοίνυν οὗτοι, ὧ ἄνδρες δικασταί, τέτταρες ἀδελφοί. τούτων εἰς μὲν ὁ πρεσβύτερος ἐν Σικελίᾳ παραφρυκτωρευόμενος τοῖς πολεμίοις ληφθεὶς ὑπὸ Λαμάχου ἀπετυμπανίσθη· ὁ δὲ 470 ἕτερος εἰς Κόρινθον μὲν ἐντευθενὶ ἀνδράποδον ἐξήγαγεν, ἐκεῖθεν δὲ παιδίσκην ἀστῆς ἐξαγαγὼν ἀλίσκεται, καὶ ἐν τῷ δεσμωτηρίῳ δεδεμένος 68 ἀπέθανε· τὸν δὲ τρίτον Φαινιππίδης ἐνθάδε λωποδύτην ἀπήγαγε, καὶ ὑμεῖς κρίναντες αὐτὸν 475 ἐν τῷ δικαστηρίῳ καὶ καταγνόντες αὐτοῦ θάνατον ἀποτυμπανίσαι παρέδοτε. ὥς δὲ ἀληθῆ λέγω, καὶ αὐτὸν οἶμαι ὁμολογήσειν τοῦτον καὶ μάρτυρας παρεξόμεθα.

WITNESSES TO FACTS REGARDING THE BROTHERS OF AGORATUS.

§ 11. *He will plead, I hear, as a reason for your sparing him that he caused the death of Phrynichus, and received Athenian citizenship as a reward for that deed. Neither of these statements is true. The assassin of Phrynichus was Thrasybulus of Calydon, and Apollodorus of Megara was in the plot. Both were made citizens as a reward, but neither in the decree, nor the pillar put up in commemoration, does the name of Agoratus occur.*

Moreover, if he had been an assassin of Phrynichus, do you suppose that the Thirty would have spared him,

unless he had compensated for it by extraordinary injuries to the demos?

480 Πῶς οὖν οὐχ ἅπασι προσήκει ὑμῖν τούτου 69
καταψηφίζεσθαι; εἰ γὰρ τούτων ἕκαστος δι' ἐν
ἀμάρτημα θανάτου ἡξιώθη, ἥ που τοῦ γε πολλὰ
ἐξημαρτηκότος καὶ δημοσίου εἰς τὴν πόλιν καὶ
ιδίᾳ εἰς ἕκαστον ὑμῶν, ὦν ἕκαστου ἀμαρτήμα-
485 τος ἐν τοῖς νόμοις θάνατος ἡ ζημία ἐστί, δεῖ
ὑμᾶς σφόδρα θάνατον αὐτοῦ καταψηφίσασθαι.

Λέξει δέ, ὦ ἄνδρες δικασταί, καὶ ἐξαπατήσαι 70
ὑμᾶς πειράσεται, ὥς ἐπὶ τῶν τετρακοσίων
Φρύνιχον ἀπέκτεινε, καὶ ἀντὶ τούτου φησὶν
490 αὐτὸν Ἀθηναῖον τὸν δῆμον ποιήσασθαι, ψευδό-
μενος, ὦ ἄνδρες δικασταί. οὔτε γὰρ Φρύνιχον
ἀπέκτεινεν, οὔτε Ἀθηναῖον αὐτὸν ὁ δῆμος ἐποίη-
σατο. Φρυνίχῳ γὰρ, ὦ ἄνδρες δικασταί, κοινῇ 71
Θρασύβουλός τε ὁ Καλυδώνιος καὶ Ἀπολλόδωρος
495 ὁ Μεγαρεὺς ἐπεβούλευσαν· ἐπειδὴ δὲ ἐπετυχέτην
αὐτῷ βαδίζοντι, ὁ μὲν Θρασύβουλος τύπτει τὸν
Φρύνιχον καὶ καταβάλλει πατάξας, ὁ δὲ Ἀπολ-
λόδωρος οὐχ ἥψατο· ἅμα τούτῳ κραυγὴ γίνεται
καὶ ὄχοντο φεύγοντες. Ἀγόρατος δὲ οὔτοσὶ
500 οὔτε παρεκλήθη οὔτε παρεγένετο οὔτε οἶδε τοῦ
πράγματος οὐδέν. ὥς δὲ ἀληθῆ λέγω, αὐτὸ ὑμῖν
τὸ ψήφισμα δηλώσει.

DECREE OF THE PEOPLE TO REWARD THE SLAYERS OF PHRYNICHUS.

ἽΟτι μὲν οὐκ ἀπέκτεινε Φρύνιχον, ἐξ αὐτοῦ 72

τοῦ ψηφίσματος δῆλον· οὐδαμοῦ γάρ ἐστιν
 Ἀγόρατον Ἀθηναῖον εἶναι ὥσπερ Θρασύβουλον 505
 καὶ Ἀπολλόδωρον· καίτοι εἴπερ ἀπέκτεινε Φρύ-
 νιχον, ἔδει αὐτὸν ἐν τῇ αὐτῇ στήλῃ, ἵνα περ
 Θρασύβουλον καὶ Ἀπολλόδωρον, Ἀθηναῖον πε-
 ποιημένον²³ . . . τὰ μέντοι ὀνόματα διαπράτ-
 τονται σφῶν αὐτῶν, δόντες ἀργύριον τῷ ῥήτορι, 510
 προσγραφῆναι εἰς τὴν στήλῃν ὡς εὐεργέτας
 ὄντας. καὶ ὡς ἀληθῆ λέγω, τοῦτο τὸ ψήφισμα
 ἐλέγξει.

DECREE OF THE PEOPLE TO RECORD ON A PILLAR
 THE NAMES OF THE SLAYERS OF PHRYNICHUS.

- 73 Οὕτω μέντοι οὗτος πολὺ ὑμῶν καταφρονεῖ,
 ὥστε οὐκ ὦν Ἀθηναῖος καὶ ἐδίκασε καὶ ἐξεκλή- 515
 σίαζε καὶ γραφὰς τὰς ἐξ ἀνθρώπων ἐγράφετο,
 ἐπιγραφόμενος Ἀναγυράσιος εἶναι. ἔπειτα δὲ
 καὶ ἕτερον μέγα τεκμήριον ὡς οὐκ ἀπέκτεινε
 Φρύνιχον, δι' ὃ Ἀθηναῖός φησι γεγενῆσθαι. ὁ
 Φρύνιχος γὰρ οὗτος τοὺς τετρακοσίους κατέστη- 520
 σεν· ἐπειδὴ δ' ἐκεῖνος ἀπέθανεν, οἱ πολλοὶ τῶν
 74 τετρακοσίων ἔφυγον. πότερον οὖν δοκοῦσιν ὑμῖν
 οἱ τριάκοντα καὶ ἡ βουλὴ ἢ ἐπὶ τῶν τριάκοντα
 βουλευούσα, οἱ αὐτοὶ ἦσαν ἅπαντες τῶν τετρα-
 κοσίων τῶν φυγόντων, ἀφεῖναι ἂν λαβόντες τὸν 525
 Φρύνιχον ἀποκτείναντα, ἢ τιμωρήσασθαι ὑπὲρ

²³ Deest aliquid. Fortasse ἐπιγραφῆναι. Et Θρασύβουλος καὶ
 Ἀπολλόδωρος legendum. Sed totus locus ἔδει . . . ὄντας multis
 mendis laborare videtur.

Φρυνίχου καὶ τῆς φυγῆς ἧς αὐτοὶ ἔφυγον ; ἐγὼ
 μὲν οἶμαι τιμωρεῖσθαι ἄν. εἰ μὲν οὖν μὴ ἀπο-
 κτείνας προσποιεῖται, ἀδικεῖ, ὡς ἐγὼ φημι· εἰ δὲ 75
 530 ἀμφισβητεῖς καὶ φῆς Φρύνιχον ἀποκτείνειν, δῆλον
 ὅτι μείζω τὸν δῆμον τῶν Ἀθηναίων κακὰ ποιήσας
 τὴν ὑπὲρ Φρυνίχου αἰτίαν πρὸς τοὺς τριάκοντα
 ἀπελύσω· οὐδέποτε γὰρ πείσεις οὐδένα ἀνθρώπων
 ὡς Φρύνιχον ἀποκτείνας ἀφείθης ἂν ὑπὸ τῶν
 535 τριάκοντα, εἰ μὴ μεγάλα τὸν δῆμον τῶν Ἀθηναίων
 καὶ ἀνήκεστα κακὰ εἰργάσω. ἐὰν μὲν οὖν φάσκη 76
 Φρύνιχον ἀποκτείνειν, τούτων μέμνησθε, καὶ τοῦ-
 τον τιμωρεῖσθε ἀνθ' ὧν ἐποίησεν· ἐὰν δ' οὐ
 φάσκη, ἔρεσθε αὐτὸν δι' ὃ τι φησὶν Ἀθηναῖος
 540 ποιηθῆναι. ἐὰν δὲ μὴ ἔχῃ ἀποδείξαι, τιμωρεῖσθε
 αὐτὸν ὅτι καὶ ἐδίκαζε καὶ ἐξεκλησίαζε καὶ
 ἐσυκοφάντει πολλοὺς ὡς Ἀθηναῖος τοῦνομα
 ἐπιγραφόμενος.

§ 12. *Another plea for mercy, I hear, will be that he joined the loyalists at Phylè, and shared their restoration.*

The fact is that he absolutely had the impudence to go to Phylè, and was immediately seized and about to be put to death as a murderer and thief ; and was saved at the instance of Anytus for future trial. But he was shunned as though polluted ; no one admitted him to share his table or tent ; no Taxiarch enrolled him in his tribe. Just so also, when the procession of citizens from Peiræus to the Temple of Athenè took place. He had the impudence to join, but was turned out and deprived of his shield with ignominy by Æsimus.

Ἀκούω δ' αὐτὸν παρασκευάζεσθαι ἀπολογεῖσθαι 77

ὡς ἐπὶ Φυλὴν τε ᾤχετο καὶ συγκατήλθε τοῖς ἀπὸ 545
 Φυλῆς, καὶ τοῦτο μέγιστον ἀγώνισμα εἶναι.
 ἐγένετο δὲ τοιούτων. ἦλθεν οὗτος ἐπὶ Φυλὴν·
 καίτοι πῶς ἂν γένοιτο ἄνθρωπος μιαιώτερος,
 ὅστις εἰδὼς ὅτι εἰσὶ τινες ἐπὶ Φυλῇ τῶν ὑπὸ
 τούτου ἐκπεπτωκότων ἐτόλμησεν ἐλθεῖν ὡς 550
 78 τούτους ; ἐπειδὴ δὲ εἶδον αὐτὸν τάχιστα, συλ-
 λαβόντες ἄγουσιν ἄντικρυς ὡς ἀποκτενοῦντες,
 οὐπερ καὶ τοὺς ἄλλους ἀπέσφαττον, εἴ τινα
 ληστήν ἢ κακούργον συλλάβοιεν. στρατηγῶν δὲ
 *Ανυτος ἐπὶ Φυλὴν οὐκ ἔφη χρῆναι ποιεῖν αὐτοὺς 555
 ταῦτα, λέγων ὅτι οὐχ οὕτω διακέοιντο, ὥστε
 τιμωρεῖσθαι τινὰς τῶν ἐχθρῶν, ἀλλὰ νῦν μὲν
 δεῖν αὐτοὺς ἡσυχίαν ἔχειν, εἰ δέ ποτε οἴκαδε
 κατέλθοιεν, τότε καὶ τιμωρήσονται τοὺς ἀδικούν-
 79 τας. ταῦτα λέγων αἷτιος ἐγένετο τοῦ ἀποφυγεῖν 560
 τούτον ἐπὶ Φυλῇ ἀνάγκη δὲ ἦν στρατηγοῦ
 ἀνδρὸς ἀκροᾶσθαι, εἴπερ ἔμελλον σωθῆσεσθαι.
 ἀλλ' ἕτερον· οὔτε γὰρ συσσιτήσας τούτῳ οὐδεὶς
 φανήσεται οὔτε σύσκηνος γενόμενος, οὔτε ταξι-
 αρχος εἰς τὴν φυλὴν κατατάξας, ἀλλ' ὥσπερ 565
 ἀλιτηρίῳ οὐδεὶς ἀνθρώπων αὐτῷ διελέγετο. Καὶ
 μοι κάλει τὸν ταξίαρχον.

WITNESS AS TO THE RECEPTION OF AGORATUS
 AT PHYLE.

80 Ἐπειδὴ δὲ αἱ διαλλαγὰὶ πρὸς ἀλλήλους ἐγέ-
 νοντο καὶ ἔπεμψαν οἱ πολῖται ἐκ Πειραιῶς τὴν
 πομπὴν εἰς πόλιν, ἡγείτο μὲν Αἷσιμος τῶν ὀπλι- 570

τῶν,²⁴ οὗτος δὲ οὕτω τολμηρὸς καὶ ἐκεῖ ἐγένετο·
 συνήκολούθει γὰρ λαβὼν τὰ ὄπλα καὶ συνέπεμπε
 τὴν πομπὴν μετὰ τῶν πολιτῶν πρὸς τὸ ἄστυ.
 ἐπειδὴ δὲ πρὸς ταῖς πύλαις ἦσαν καὶ ἔθεντο τὰ 81
 575 ὄπλα, πρὶν εἰσιέναι εἰς τὸ ἄστυ, ὁ μὲν Αἷσιμος
 αἰσθάνεται καὶ προσελθὼν τὴν τε ἀσπίδα αὐτοῦ
 λαβὼν ἔρριψε, καὶ ἀπιέναι ἐκέλευσεν ἐς κόρακας
 ἐκ τῶν πολιτῶν· οὐ γὰρ ἔφη δεῖν ἀνδροφόνον
 αὐτὸν ὄντα συμπέμπειν τὴν πομπὴν τῇ Ἀθηναίᾳ.
 580 τούτῳ τῷ τρόπῳ ὑπὸ Αἰσίμου ἀπηλάθη. Ὡς δ'
 ἀληθῆ λέγω, κάλει μοι τοὺς μάρτυρας.

WITNESSES AS TO THE EXPULSION OF AGORATUS
 FROM THE PROCESSION.

Τούτῳ τῷ τρόπῳ, ὧ ἄνδρες δικασταί, καὶ ἐπὶ 82
 Φυλῇ καὶ ἐν Πειραιεὶ πρὸς τοὺς πολίτας διέκειτο·
 οὐδεὶς γὰρ αὐτῷ διελέγετο ὡς ἀνδροφόνῳ ὄντι,
 585 τοῦ τε μὴ ἀποθανεῖν Ἄνυτος ἐγένετο αὐτῷ αἷτιος.
 εἰάν οὖν τῇ ἐπὶ Φυλὴν ὁδῷ ἀπολογία χρήται,
 ὑπολαμβάνειν χρὴ εἰ Ἄνυτος αὐτῷ ἐγένετο
 αἷτιος μὴ ἀποθανεῖν ἐτοίμων ὄντων τιμωρεῖσθαι,
 καὶ ἔρριψεν αὐτοῦ Αἷσιμος τὴν ἀσπίδα καὶ οὐκ
 590 εἶα μετὰ τῶν πολιτῶν πέμπειν τὴν πομπήν, καὶ
 εἴ τις αὐτὸν ταξίαρχος εἰς τάξιν τινὰ κατέταξε.

§ 13. *Technical Pleas* :—

(a) *The length of time which has elapsed should con-*
done his crimes. But no time can bar the punishment of

²⁴ Vulg. πολιτῶν, Cobet δπλιτῶν.

such crimes. He must plead one of two things: that he didn't do it, or that he was justified in doing it.

- 83 Μήτε οὖν ταῦτα αὐτοῦ ἀποδέχεσθε, μήτε ἂν λέγῃ ὅτι πολλῷ χρόνῳ ὕστερον τιμωρούμεθα. οὐ γὰρ οἶμαι οὐδεμίαν τῶν τοιούτων ἀδικημάτων προθεσμίαν εἶναι, ἀλλ' ἐγὼ μὲν οἶμαι, εἴτ' εὐθὺς 595 εἴτε χρόνῳ τις τιμωρεῖται, τοῦτον δεῖν ἀποδεικνύναι ὥς οὐ πεποίηκε περὶ ὧν ἐστὶν ἡ αἰτία.
- 84 οὗτος τολύβη τοῦτο ἀποφαινέτω, ἢ ὥς οὐκ ἀπέκτεινεν ἐκείνους ἢ ὥς δικαίως, κακόν τι ποιούντας τὸν δῆμον τῶν Ἀθηναίων. εἰ δὲ πάλαι δέον 600 τιμωρεῖσθαι ὕστερον ἡμεῖς τιμωρούμεθα, τὸν χρόνον κερδαίνει ὃν ἔζη οὐ προσήκον αὐτῷ, οἱ δὲ ἄνδρες ὑπὸ τούτου οὐδὲν ἥττον τεθνήκασιν.

(b) Or he will plead that the indictment was bad. He will say that I have proceeded by ἀπαγωγὴ and ἐνδείξις, which is only applicable when a man is detected in the act (ἐπ' αὐτοφώρῳ); that the Eleven, knowing this, forced me to add these words, omitted before, to the ἐνδείξις. That, therefore (1) he was wrongly charged, because he was not caught in the act; (2) the Eleven, by causing these words to be added, showed that they considered the information originally defective.

The answer to this is: The Eleven did cause the words to be added because they saw the prosecution was just: and, 2dly, Agoratus was caught ἐπ' αὐτοφώρῳ, seeing that his murders were done in the full sight of five hundred members of the Boulē, and indeed of all Athens.

- 85 Ἀκούω δ' αὐτὸν καὶ δυσχυρίζεσθαι, ὅτι ΕΠ' ΑΤΤΟΦΩΡῶΙ τῇ ἀπαγωγῇ ἐπιγέγραπται· δὲ πάντων 605 ἐγὼ οἶμαι εὐθιέστατον· ὥς εἰ μὲν τὸ ΕΠ' ΑΤΤΟΦΩΡῶΙ

- μὴ προσεγγέγραπτο, ἔνοχος ὢν τῇ ἀπαγωγῇ, διότι
 δὲ τοῦτο προσγγέγραπται, ῥαστώνην τινὰ οἶται
 αὐτῷ εἶναι. τοῦτο δὲ οὐδενὶ ἄλλῳ ἔοικεν ἢ
 610 ὁμολογεῖν ἀποκτείνειν, μὴ ἐπ' αὐτοφώρῳ δέ, καὶ
 περὶ τούτου δισχυρίζεσθαι, ὥσπερ, εἰ μὴ ἐπ'
 αὐτοφώρῳ μὲν, ἀπέκτεινε δέ, τούτου ἔνεκα δέον
 αὐτὸν σώζεσθαι. δοκοῦσι δ' ἔμοιγε οἱ ἔνδεκα οἱ 86
 παραδεξάμενοι τὴν ἀπαγωγὴν ταύτην, οὐκ οἰόμενοι
 615 Ἀγοράτῳ συμπράττειν τότε καὶ δισχυρίζόμενοι
 σφόδρα ὀρθῶς ποιῆσαι Διονύσιον τὴν ἀπαγωγὴν,²⁵
 ἀπάγειν ἀναγκάζοντες, προσγράψασθαι τότε ΕΠ'
 ΑΥΤΟΦΩΡΩΙ, ἣ ὅπου ἂν ᾗ· [ὅς] πρῶτον μὲν ἐναντίον
 πεντακοσίων ἐν τῇ βουλῇ, εἶτα πάλιν ἐναντίον
 620 Ἀθηναίων ἀπάντων ἐν τῷ δήμῳ ἀπογράψας
 τινὰς ἀποκτείνει καὶ αἷτιος γένοιτο τοῦ θανάτου.
 οὐ γὰρ δήπου τοῦτο μόνον οἶται ἐπ' αὐτοφώρῳ, 87
 ἑάν τις ξύλῳ ἢ μαχαίρᾳ πατάξας καταβάλλῃ, ἐπεὶ
 ἔκ γε τοῦ σοῦ λόγου οὐδεὶς φανήσεται ἀποκτείνας
 625 τοὺς ἄνδρας οὓς σὺ ἀπέγραψας· οὔτε γὰρ ἐπά-
 ταξεν αὐτοὺς οὐδεὶς οὔτ' ἀπέσφαξεν, ἀλλ' ἀναγ-
 κασθέντες ὑπὸ τῆς σῆς ἀπογραφῆς ἀπέθανον.
 οὐκ οὖν ὁ αἷτιος τοῦ θανάτου, οὗτος ἐπ' αὐτοφώρῳ
 ἐστί; τίς οὖν ἄλλος αἷτιος ἢ σὺ ἀπογράψας;
 630 ὥστε πῶς οὐκ ἐπ' αὐτοφώρῳ σὺ εἰ ὁ ἀποκτείνας;

§ 14. *He will next plead that the terms sworn to between the party of the Peiræus and Athens cover his case and secure his indemnity.*

²⁵ ἀπαγωγὴν, sic ego distinxi. ἀπαγωγὴν ἀπάγειν nusquam invenio. Semper ἀπάγειν τὸν καὶ τὸν dicitur. Scheibe cæt. post Διονύσιον distinguunt. Totus locus difficilis vel pæne dixi insanabilis est. [ὅς] addidi, in re tam desperata aliquid periclitatus.

I answer: These terms were between the party of the Peiræus and that of Athens. There was no bargain between men in the same party, and he, like myself and Dionysius, was at the Peiræus. Note—by pleading the indemnity he implicitly owns to the crime.

88 Πυνθάνομαι δ' αὐτὸν καὶ περὶ τῶν ὀρκῶν καὶ
 περὶ τῶν συνθηκῶν* μέλλειν λέγειν, ὡς παρὰ τοὺς
 ὀρκους καὶ τὰς συνθήκας ἀγωνίζεται ἄς συνεθέ-
 μεθα πρὸς τοὺς ἐν ἄστει οἱ ἐν τῷ Πειραιεῖ.
 σχεδὸν μὲν οὖν τούτοις ἰσχυριζόμενος ὁμολογεῖ 635
 ἀνδροφόνος εἶναι· ἐμποδὼν γοῦν ἢ ὀρκους ἢ
 συνθήκας ἢ χρόνον ἢ Εἰπ' Αἴτιοφωρῳ τι ποιεῖται,
 αὐτῷ δὲ τῷ πράγματι οὐ τι πιστεύει καλῶς
 89 ἀγωνιεῖσθαι. ὑμῖν δέ, ὦ ἄνδρες δικασταί, οὐ
 προσήκει περὶ τούτων ἀποδέχεσθαι· ἀλλ' ὡς οὐκ 640
 ἀπέγραψεν οὐδὲ οἱ ἄνδρες τεθνᾶσι, περὶ τούτων
 κελεύετε αὐτὸν ἀπολογεῖσθαι. ἔπειτα τοὺς ὀρκους
 καὶ τὰς συνθήκας οὐδὲν ἡγοῦμαι προσήκειν ἡμῖν
 πρὸς τούτον. οἱ γὰρ ὀρκοὶ τοῖς ἐν ἄστει πρὸς
 90 τοὺς ἐν Πειραιεῖ γεγέννηνται. εἰ μὲν οὖν οὗτος 645
 μὲν ἐν ἄστει ἡμεῖς δ' ἐν Πειραιεῖ ἡμεν, εἶχον ἄν
 τινα λόγον αὐτῷ αἰ συνθῆκαι· νῦν δὲ καὶ οὗτος
 ἐν Πειραιεῖ ἦν καὶ ἐγὼ καὶ Διονύσιος καὶ οὗτοι
 ἅπαντες οἱ τούτον τιμωρούμενοι, ὥστε οὐκ ἔστιν
 ἡμῖν ἐμποδὼν οὐδέν· οὐδένα γὰρ ὀρκον οἱ ἐν 650
 Πειραιεῖ τοῖς ἐν Πειραιεῖ ὥμοσαν.

§ 15. *He calls the Demos his father. If so, he deserves the death of a parricide. By releasing him now you will virtually declare that the loyal citizens, whose death he caused, were justly put to death. These murdered men*

* περὶ—συνθηκῶν om. R. W. al. τοῦτο Kayser.

enjoined you to revenge them on him as their murderer. You are bound by your vote to show your abhorrence of the policy and actions of the Thirty.

Ἐκ παντὸς δὲ τρόπου ἔμοιγε δοκεῖ οὐχ ἑνὸς 91
θανάτου ἄξιος εἶναι, ὅστις φησὶ μὲν ὑπὸ τοῦ
δήμου²⁶. . . , τὸν δὲ δῆμον, ὃν αὐτὸς φησι πατέρα
655 αὐτοῦ εἶναι, φαίνεται κακώσας, καὶ ἀφείς καὶ
προδοὺς ἐξ ὧν ἐκεῖνος μείζων καὶ ἰσχυρότερος
ἐγένετο. ὅστις οὖν τὸν τε γόνυ πατέρα τὸν
αὐτοῦ ἔτυπτε καὶ οὐδὲν παρείχε τῶν ἐπιτηδείων,
τὸν τε ποιητὸν πατέρα ἀφείλετο ἃ ἦν ὑπάρχοντα
660 ἐκείνῳ ἀγαθὰ, πῶς οὐ καὶ διὰ τοῦτο κατὰ τὸν τῆς
κακώσεως νόμον ἄξιός ἐστι θανάτῳ ζημιωθῆναι ;

Προσθήκει δ' ὑμῖν, ὦ ἄνδρες δικασταί, ἅπασιν 92
τιμωρεῖν ὑπὲρ ἐκείνων τῶν ἀνδρῶν ὁμοίως ὥσπερ
ἡμῶν ἐνὶ ἐκάστῳ. ἀποθνήσκοντες γὰρ ἡμῖν
665 ἐπέσκηψαν καὶ ὑμῖν καὶ τοῖς ἄλλοις* ἅπασιν
τιμωρεῖν ὑπὲρ σφῶν αὐτῶν Ἀγόρατον τουτονὶ ὡς
φονέα ὄντα, καὶ κακῶς ποιεῖν καθ' ὅσον ἂν
ἔμβραχυν ἕκαστος δύνηται. εἰ τοίνυν τι ἐκείνοι
ἀγαθὸν τὴν πόλιν ἢ τὸ πλῆθος τὸ ὑμέτερον
670 φανεροί εἰσι πεποιηκότες, ἃ καὶ αὐτοὶ ὑμεῖς
ὁμολογεῖτε, ἀνάγκη ὑμᾶς ἐστί πάντας ἐκείνοις
φίλους καὶ ἐπιτηδείους εἶναι, ὥστε οὐδὲν μᾶλλον
ἡμῖν ἢ καὶ ὑμῶν ἐνὶ ἐκάστῳ ἐπέσκηψαν. οὐκ οὐν 93
οὔτε ὅσιον οὔτε νόμιμον ὑμῖν ἐστὶν ἀνεῖναι Ἀγό-
675 ρατον τουτονί. ὑμεῖς τοίνυν, ὦ ἄνδρες Ἀθηναῖοι,
νυνὶ δὴ, ἐπεὶ ἐν τῷ τότε χρόνῳ, ἐν ᾧ ἐκείνοι
ἀπέθνησκον, οὐχ οἷοί τε ἐκείνοις ἐπαρκεῖσαι

²⁶ Aliquid deest. Fortasse Ἀθηναῖος πεποιησθαι, cf. § 70.
Pro καὶ ἀφείς κτλ. Francken conj. καθυφείς καὶ προδοὺς πάντ' ἐξ
ὧν ε. μ. ἂν . . .

* Αἱ ἐπέσκηψαν καὶ ἡμῖν καὶ τοῖς φίλοις.

γεγόνετε διὰ τὰ πράγματα τὰ περιεστηκότα,
 νυνὶ, ἐν ᾧ δύνασθε, τιμωρήσατε τὸν ἐκείνων
 φονέα. ἐνθυμείσθε δ', ὦ ἄνδρες Ἀθηναῖοι, ὅπως 680
 μὴ πάντων ἔργον σχετλιώτατον ἐργάσησθε. εἰ
 γὰρ ἀποψηφιεῖσθε Ἀγοράτου τουτουῖ, οὐ μόνον
 τοῦτο διαπράττεσθε, ἀλλὰ καὶ ἐκείνων τῶν ἀν-
 δρῶν, οὓς ὁμολογεῖτε ὑμῖν εὖνους εἶναι, τῇ αὐτῇ
 94 ψήφῳ ταύτῃ θάνατον καταψηφίξεσθε· ἀπολύ- 685
 οντες γὰρ τὸν αἷτιον ὄντα ἐκείνοις τοῦ θανάτου
 οὐδὲν ἄλλο γινώσκετε ἢ ἐκείνους δικαίως ὑπὸ
 τούτου τεθνηκέναι. καὶ οὕτως ἂν δεινότατα
 πάντων πάθοιεν, εἰ οἷς ἐπέσκηπτον ἐκείνοι ὥς
 φίλοις οὖσι τιμωρεῖν ὑπὲρ αὐτῶν, οὗτοι ὁμόψηφοι 690
 κατ' ἐκείνων τῶν ἀνδρῶν²⁷ τοῖς τριάκοντα γενή-
 95 σονται. μηδαμῶς, ὦ ἄνδρες δικασταί, πρὸς θεῶν
 Ὀλυμπίων, μήτε τέχνη μήτε μηχανῇ μηδεμιᾷ
 θάνατον ἐκείνων τῶν ἀνδρῶν καταψηφίσησθε, οἱ
 πολλὰ κἀγαθὰ ὑμᾶς ποιήσαντες διὰ ταῦτα ὑπὸ 695
 τῶν τριάκοντα καὶ Ἀγοράτου τουτουῖ ἀπέθανον.
 ἀναμνησθέντες οὖν ἀπάντων τῶν δεινῶν, καὶ τῶν
 κοινῶν τῇ πόλει καὶ τῶν ἰδίων, ὅσα ἐκάστῳ
 ἐγένετο²⁸ ἐπειδὴ ἐκείνοι οἱ ἄνδρες ἐτελεύτησαν,
 τιμωρήσατε τὸν αἷτιον τούτων. ἀποδέδεικται δ' 700
 ὑμῖν ἅπαντα καὶ ἐκ τῶν ψηφισμάτων καὶ ἐκ τῶν
 ἀπογραφῶν καὶ ἐκ τῶν ἄλλων ἀπάντων Ἀγόρατος
 96 ὢν αὐτοῖς αἷτιος τοῦ θανάτου. ἔτι δὲ καὶ προσ-
 ἕκει ὑμῖν ἐναντία τοῖς τριάκοντα ψηφίζεσθαι.
 ὧν μὲν τοίνυν ἐκείνοι θάνατον κατέγνωσαν, ὑμεῖς 705
 ἀποψηφίσασθε· ὧν δ' ἐκείνοι θάνατον οὐ κατέ-

²⁷ κατ' ἐκείνων τῶν ἀνδρῶν *Francken* ex sequenti sectione
 illatum esse suspicatur.

²⁸ ἐγένετο. *Scheibe* et alii ἐγένοντο.

γνωσαν, ὑμεῖς καταγινώσκετε. οἱ τριάκοντα τοῖνυν
 τῶν μὲν ἀνδρῶν τούτων, οἳ ἦσαν ὑμέτεροι φίλοι,
 θάνατον κατέγνωσαν, ὧν δεῖ ὑμᾶς ἀποψηφίζεσθαι·
 710 Ἀγοράτου δὲ ἀπεψηφίσαντο, διότι ἐδόκει προ-
 θύμως τούτους ἀπολλύναι· οὐ προσήκει κατα-
 ψηφίζεσθαι. ἐὰν οὖν τὰ ἐναντία τοῖς τριάκοντα⁹¹
 ψηφίξησθε, πρῶτον μὲν οὐχ ὁμόψηφοι γίγνεσθε,⁹²
 ἔπειτα τοῖς ὑμέτεροις αὐτῶν φίλοις τετιμωρηκότες
 715 ἔσεσθε, ἔπειτα τοῖς πᾶσιν ἀνθρώποις δόξετε
 δίκαια καὶ ὅσια ψηφίσασθαι.

ORATION VII. [14.]

FOR THE PROSECUTION: AGAINST ALCIBIADES FOR
 DESERTION. BEFORE A MILITARY COURT PRE-
 SIDED OVER BY THE STRATEGI

§ 1. *No preface is needed; the defendant's whole life shows hopeless depravity. I have inherited as well as personal reasons for endeavouring to secure his punishment, and I shall speak on the points passed over by Archestratides.*

Ἦγούμαι μὲν, ὦ ἄνδρες δικασταί, οὐδεμίαν
 ὑμᾶς ποθεῖν ἀκούσαι πρόφασιν παρὰ τῶν βουλο-
 μένων Ἀλκιβιάδου κατηγορεῖν· τοιοῦτον γὰρ
 πολίτην ἑαυτὸν ἐξ ἀρχῆς παρέσχευ, ὥστε καὶ εἰ
 5 μὴ τις ἰδίᾳ ἀδικούμενος ὑπ' αὐτοῦ τυγχάνει,
 οὐδὲν ἥττον προσήκει ἐκ τῶν ἄλλων ἐπιτηδευ-
 μάτων ἐχθρὸν αὐτὸν ἡγεῖσθαι. οὐ γὰρ μικρὰ τὰ
 ἁμαρτήματα οὐδὲ συγγνώμης ἄξια, οὐδ' ἐλπίδα

⁹² *Francken conj.* οὐχ ὁμόψηφοι τοῖς ἐχθροῖς ἔσεσθε . . .

παρέχοντα ὡς ἔσται τοῦ λοιποῦ βελτίων, ἀλλ' οὕτω πεπραγμένα καὶ εἰς τοσοῦτο κακίας ἀφιν- 10
 μένα, ὥστ' ἐπ' ἐνίοις¹ ὧν οὗτος φιλοτιμεῖται τοὺς
 ἐχθροὺς αἰσχύνεσθαι. ἐγὼ μέντοι, ὦ ἄνδρες
 δικασταί, καὶ πρότερον πρὸς τοὺς πατέρας ἡμῖν
 κ^ν διαφορᾶς ὑπαρχούσης, καὶ πάλαι τοῦτον ἐχθρὸν
 σ^ν ἡγούμενος, καὶ νῦν ὑπ' αὐτοῦ πεπονηθὼς κακῶς, 15 *casus*
 πειράσομαι περὶ πάντων τῶν πεπραγμένων μεθ'
 3 ὑμῶν αὐτὸν τιμωρήσασθαι. περὶ μὲν οὖν τῶν
 ἄλλων Ἀρχεστρατίδης ἱκανῶς κατηγόρησε· καὶ
 γὰρ τοὺς νόμους ἐπέδειξε καὶ μάρτυρας πάντων
 παρέσχετο· ὅσα δ' οὗτος παραλέλοιπεν, ἐγὼ 20
 καθ' ἕκαστον ὑμᾶς διδάξω.

§ 2. You have an important constitutional point to settle. The accused pleads that the law as to desertion (λειποταξία) only refers to desertion in actual battle: and that there having been no battle, he does not come under its provisions. I, on the contrary, contend that it applies to every non-appearance in the ranks on active service (στρατία), whether there be actual fighting or not.

4 Εἰκὸς τοίνυν ἐστίν, ὦ ἄνδρες δικασταί, ἐξ οὗ
 τὴν εἰρήνην ἐποιησάμεθα, πρῶτον περὶ τούτων
 νυνὶ δικάζοντας μὴ μόνον δικαστὰς ἀλλὰ καὶ
 νομοθέτας αὐτοὺς γεγέσθαι,² εὖ εἰδότας ὅτι, ὅπως 25 *mid*
 ἂν ὑμεῖς νυνὶ περὶ αὐτῶν γνῶτε, οὕτω καὶ τὸν
 ἄλλον χρόνον ἢ πόλις αὐτοῖς χρήσεται. δοκεῖ
 δέ μοι καὶ πολίτου χρηστοῦ καὶ δικαστοῦ δικαίου
 ἔργον εἶναι ταύτῃ τοὺς νόμους διαλαμβάνειν,

¹ ἐπ' ἐνίοις *Reiskius*: MSS. ἐπινίκιοις. al. ἐπ' ἐκείοις.

² *Francken* αὐτοὺς ἡγεῖσθαι.

- 30 ὅπη εἰς τὸν λοιπὸν χρόνον μέλλει συνοίσειν τῇ πόλει. τολμῶσι γάρ τινες λέγειν ὡς οὐδεὶς 5
 ἔνοχός ἐστι λιποταξίου οὐδὲ δειλίας· μάχην γὰρ οὐδεμίαν γεγονέναι, τὸν δὲ νόμον κελεύειν, ἂν τις λήπῃ τὴν τάξιν εἰς τοῦπίσω δειλίας ἕνεκα, μαχομένων
 35 τῶν ἄλλων, περὶ τούτου τοὺς στρατιώτας δικάζειν. ὁ δὲ νόμος οὐ περὶ τούτων κελεύει μόνον, ἀλλὰ καὶ ὅποσοι ἂν μὴ παρῶσιν ἐν τῇ πεζῇ στρατιᾷ.
 Ἀνάγνωθί μοι τὸν νόμον.

LAW AS TO "DESERTION" PUT IN.

§ 3. *The law, you see, defines two classes of offenders: (1) those who fall out in the presence of the enemy; (2) those who do not put in an appearance in their proper rank.*

The question is, who is bound to appear? Those of course who are (1) of proper age, (2) put in the list by the Strategist.

If he pleads that he served in the cavalry, and so did not cheat the State, I shall in return show that thereby he exposed himself to the provisions of another law, which forbids any one serving in the cavalry who has not passed his scrutiny (ἀδοκίμαστος). His motives were (1) sheer cowardice; (2) a contempt for the State, which he expected to fall, and so not be able to punish him.

- Ἀκούετε, ὦ ἄνδρες δικασταί, ὅτι περὶ ἀμφο- 6
 40 τέρων κεῖται, καὶ ὅσοι ἂν μάχης οὔσης εἰς τοῦπίσω ἀναχωρήσωσι, καὶ ὅσοι ἂν ἐν τῇ πεζῇ στρατιᾷ μὴ παρῶσι. σκέψασθε δὲ τίνες εἰσὶν οὗς δεῖ παρεῖναι. οὐχ οἵτινες ἂν τὴν ἡλικίαν ταύτην ἔχωσιν; οὐχ οὗς ἂν οἱ στρατηγοὶ καταλέξωσιν;

7 ἡγοῦμαι δ' ὃ ἄνδρες δικασταί, ὅλῳ τῷ νόμῳ 45
 μόνον αὐτὸν τῶν πολιτῶν ἔνοχον εἶναι. ἀστρα-
 τείας μὲν γὰρ δικαίως ἂν αὐτὸν ἀλῶναι, ὅτι
 καταλεγεῖς ὀπλίτης οὐκ ἐξῆλθε μεθ' ὑμῶν στρα-
 τοπεδευόμενων, οὐδὲ παρέσχε μετὰ τῶν ἄλλων
 ἑαυτὸν τάξαι,—δειλίας δέ, ὅτι δέον² αὐτὸν μετὰ 50
 8 τῶν ὀπλιτῶν κινδυνεύειν ἱππεύειν εἴλετο. καίτοι
 φασὶν αὐτὸν ταύτην τὴν ἀπολογία³ν ποιήσεσθαι,
 ὥς ἐπειδήπερ ἱππευεν, οὐδὲν ἡδίκηει τὴν πόλιν.
 ἐγὼ δ' ἡγοῦμαι διὰ τοῦθ' ὑμᾶς δικαίως ἂν αὐτῷ
 ὀργίζεσθαι, ὅτι τοῦ νόμου κελεύοντος, ἐάν τις 55
 ἀδοκίμαστος ἱππεύῃ, ἄτιμον εἶναι, ἐτόλμησεν
 ἀδοκίμαστος ἱππεύειν. Καί μοι ἀνάγνωθι τὸν
 νόμον.

LAW PUT IN AS TO THE SERVING OF ἀδοκίμαστοι
 IN THE CAVALRY.

9 Οὗτος τοίνυν εἰς τοῦτ' ἦλθε πονηρίας, καὶ
 οὕτως ὑμῶν κατεφρόνησε καὶ τοὺς πολεμίους 60
 ἔδεισε καὶ ἱππεύειν ἐπεθύμησε καὶ τῶν νόμων
 οὐκ ἐφρόντισεν, ὥστε οὐδὲν αὐτῷ τούτων τῶν
 κινδύνων ἐμέλησεν, ἀλλ' ἐβουλήθη καὶ ἄτιμος
 εἶναι καὶ τὰ χρήματ' αὐτοῦ δημευθῆναι καὶ
 πάσαις ταῖς κειμέναις ζημίαις ἔνοχος γενέσθαι 65
 μᾶλλον ἢ μετὰ τῶν πολιτῶν εἶναι καὶ ὀπλίτης
 10 γενέσθαι. καὶ ἕτεροι μὲν οὐδεπώποτε ὀπλιτεύ-

² δέον dedi ego; quod ante ab aliis propositum jam reperio.
Scheibe, alii, δεῖν. *Francken* pro δέον (δεῖν) αὐτὸν conj. δέσας.
 Totum locum ἀστρατείας . . . εἴλετο sæpissime ab edd. vexa-
 tum mutatumque auctoritati *Scheibii* permisi, nisi quod στρατο-
 πεδευομένων [al. os] . . . δέον scripsi.

σαντες, ἰππεύσαντες δὲ τὸν ἄλλον χρόνον καὶ
 πολλὰ κακὰ τοὺς πολεμίους πεποιηκότες, οὐκ
 70 ἐτόλμησαν ἐπὶ τοὺς ἵππους ἀναβῆναι, δεδιότες
 ὑμᾶς καὶ τὸν νόμον· οὕτω γὰρ ἦσαν παρεσκευασ-
 μένοι, οὐχ ὥς ἀπολουμένης τῆς πόλεως, ἀλλ' ὥς
 σωθησομένης καὶ μεγάλης ἐσομένης καὶ τιμωρη-
 σομένης τοὺς ἀδικούντας· Ἀλκιβιάδης δ' ἐτόλ-
 75 μησεν ἀναβῆναι, οὔτε εὖνους ὦν τῷ πλήθει οὔτε
 πρότερον ἰππεύσας οὔτε νῦν ἐπιστάμενος οὔτε
 ὑφ' ὑμῶν δοκιμασθεὶς, ὥς οὐκ ἐξεσόμενον τῇ
 πόλει δίκην παρὰ τῶν ἀδικούντων λαμβάνειν.

§ 4. Such insubordination, if suffered to pass, makes law useless. And it is no more cowardly for a man to shirk the first rank on the approach of an enemy than to appear among the cavalry when he is assigned to the infantry. You should punish him to deter others from the same conduct, all the more because he is a conspicuous person. Thus the law will be feared: without which fear numberless men put on the lists of service would gladly yield to the temptation of shirking, the motives to which are many and strong.

Ἐνθυμηθῆναι δὲ χρὴ ὅτι, εἰ ἐξέσται ὁ τι ἂν 11
 80 τις βούληται ποιεῖν, οὐδὲν ὄφελος νόμους κεῖσθαι
 ἢ ὑμᾶς συλλέγεσθαι ἢ στρατηγούς αἰρεῖσθαι.
 θαυμάζω δέ, ὦ ἄνδρες δικασταί, εἰ τις ἀξιοί, ἐὰν
 μὲν τις προσιόντων τῶν πολεμίων τῆς πρώτης
 τάξεως τεταγμένος τῆς δευτέρας γένηται, τούτου
 85 μὲν δειλίαν καταψηφίζεσθαι, ἐὰν δέ τις ἐν τοῖς
 ὀπλίταις τεταγμένος ἐν τοῖς ἰππεύσιν ἀναφανῇ,
 τούτῳ συγγνώμην ἔχειν. καὶ μὲν δὴ, ὦ ἄνδρες 12

δικασταί, ἡγοῦμαι δικάζειν ὑμᾶς οὐ μόνον τῶν
 ἐξαμαρτανόντων ἕνεκα, ἀλλ' ἵνα καὶ τοὺς ἄλλους
 τῶν ἀκοσμοῦντων σωφρονεστέρους ποιῇτε. ἐὰν 90
 μὲν τοίνυν τοὺς ἀγνώτας κολάζετε, οὐδεὶς ἔσται
 τῶν ἄλλων βελτίων· οὐδεὶς γὰρ εἴσεται τὸν ὑφ'
 ὑμῶν καταψηφισθέντα· ἐὰν δὲ τοὺς ἐπιφανεστά-
 τους τῶν ἐξαμαρτανόντων τιμωρήσθε, πάντες
 πεύσονται, ὥστε τούτῳ παραδείγματι χρώμενοι 95
 13 βελτίους ἔσονται οἱ πολῖται. ἐὰν τοίνυν τούτου
 καταψηφίσσησθε,³ οὐ μόνον οἱ ἐν τῇ πόλει εἴσου-
 νται, ἀλλὰ καὶ οἱ σύμμαχοι αἰσθήσονται καὶ οἱ
 πολέμιοι πεύσονται, καὶ ἡγήσονται πολὺ πλείονος
 ἀξίαν εἶναι τὴν πόλιν, ἐὰν ὁρώσιν ἐπὶ τοῖς τοιού- 100
 τοις τῶν ἀμαρτημάτων μάλισθ' ὑμᾶς ὀργιζομένους
 καὶ μηδεμιᾶς συγγνώμης τοὺς ἀκοσμοῦντας ἐν
 14 τῷ πολέμῳ τυγχάνοντας. ἐνθυμεῖσθε δ', ὧ
 ἄνδρες δικασταί, ὅτι τῶν στρατιωτῶν οἱ μὲν
 κάμνοντες ἐτύγχανον, οἱ δὲ ἐνδεεῖς ὄντες τῶν 105
 ἐπιτηδείων, καὶ ἡδέως ἂν οἱ μὲν ἐν ταῖς πόλεσι
 καταμείναντες ἐθεραπεύοντο, οἱ δὲ οἴκαδ' ἀπελ-
 θόντες τῶν οἰκείων ἐπεμέλοντο, οἱ δὲ ψιλοὶ
 ἐστρατεύοντο, οἱ δ' ἐν τοῖς ἱππεύσιν ἐκινδύνουν·
 15 ἀλλ' ὅμως οὐκ ἐτολμᾶτε ἀπολιπεῖν τὰς τάξεις 110
 οὐδὲ τὰρεστὰ ὑμῖν αὐτοῖς αἰρεῖσθαι, ἀλλὰ πολὺ
 μᾶλλον ἐφοβεῖσθε τοὺς τῆς πόλεως νόμους ἢ τὸν
 πρὸς τοὺς πολεμίους κίνδυνον. ὧν χρή μεμνη-
 μένους ὑμᾶς νυνὶ τὴν ψῆφον φέρειν, καὶ πᾶσι
 φανερόν ποιεῖν ὅτι Ἀθηναίων οἱ μὴ βουλόμενοι 115
 τοῖς πολεμίοις μάχεσθαι ὑφ' ὑμῶν κακῶς πείσονται.

³ καταψηφίσσησθε. MSS. καταψηφιεῖσθε.

§ 5. *If an appeal is made in the defendant's behalf on the ground of his father's greatness, I answer that it would have been a good thing for the city if the famous Alcibiades had been executed for his first act of insubordination; and as he was afterwards condemned to death, it is a curious claim, that his son should ask to be acquitted for his sake. If men are to be excused for their father's services, who will get satisfaction for us for the losses we sustain by their ill conduct? No; the only possible defence for Alcibiades is to prove either that he did serve as an hoplite, or had passed his scrutiny before serving in the cavalry.*

Ἦγοῦμαι δ', ὦ ἄνδρες δικασταί, περὶ μὲν τοῦ 16
νόμου καὶ αὐτοῦ τοῦ πράγματος οὐχ ἔξειν αὐτοὺς
ὅ τι λέξουσιν· ἀναβαίνοντες δ' ὑμᾶς ἐξαιτήσονται
120 καὶ ἀντιβολήσουσιν, οὐκ ἀξιούντες τοῦ Ἀλκι-
βιάδου υἱέος τοσαύτην δειλίαν καταγνῶναι, ὥς αὐ-
ἐκείνον πολλῶν ἀγαθῶν ἀλλ' οὐχὶ πολλῶν κακῶν
αἴτιον γεγεννημένον, ὃν εἰ τηλικούτον ὄντα ἀπε-
κτείνατε, ὅτε πρῶτον εἰς ὑμᾶς ἐλάβετε ἐξαμαρ- 17
125 τάνοντα, οὐκ ἂν ἐγένοντο συμφοραὶ τοσαῦται τῇ
πόλει. δεινὸν δέ μοι δοκεῖ, ὦ ἄνδρες δικασταί,
εἶναι, εἰ αὐτοῦ μὲν ἐκείνου θάνατον κατέγνωτε, αὐ-
τοῦ δὲ υἱοῦ ἀδικούντος δι' ἐκείνον ἀποψηφιῆσθε,
ὃς αὐτὸς μὲν οὐκ ἐτόλμα μεθ' ὑμῶν μάχεσθαι.
130 ὁ δὲ πατήρ αὐτοῦ μετὰ τῶν πολεμίων ἡξίου
στρατεῦεσθαι. καὶ ὅτε μὲν παῖς ὢν οὐπω δῆλος
ἦν ὁποῖός τις ἔσται, διὰ τὰ τοῦ πατρὸς ἁμαρτή-
ματα ὀλίγου τοῖς ἔνδεκα παρεδόθη· ἐπειδὴ δὲ
πρὸς τοῖς ἐκείνῳ πεπραγμένοις ἐπίστασθε καὶ
135 τὴν τούτου πονηρίαν, διὰ τὸν πατέρα (ἐλεεῖν
αὐτὸν ἀξιώσετε; οὐκ οὖν δεινόν, ὦ ἄνδρες δικασ- 18

ταί, τούτους μὲν οὕτως εὐτυχεῖς εἶναι, ὥστ',
 ἐπειδὰν ἐξαμαρτάνοντες ληφθῶσι, διὰ τὸ αὐτῶν ^{αυ}
 γένος σώζεσθαι, ἡμᾶς δέ, εἰ ἐδυστυχήσαμεν διὰ
 τοὺς οὕτως ἀτακτοῦντας, μηδὲν ἂν δύνασθαι 140
 παρὰ τῶν πολεμίων ἐξαιτήσασθαι διὰ⁴ τὰς τῶν ^{αυ}
 19 προγόνων ἀρετάς; καίτοι πολλαὶ καὶ μεγάλαι
 καὶ ὑπὲρ πάντων τῶν Ἑλλήνων γεγόνασι, καὶ
 οὐδὲν ὅμοιαι τοῖς ὑπὸ τούτων περὶ τὴν πόλιν
 πεπραγμένοις, ὧ ἄνδρες δικασταί. εἰ δ' ἐκεῖνοι 145
^{αυτῶν} δοκοῦσι βελτίους εἶναι σώζοντες τοὺς φίλους,
^{εἰς τὸν} οἴλον ὅτι καὶ ὑμεῖς ἀμείνους δόξετε εἶναι τιμωρού-
 20 μενοι τοὺς ἐχθρούς. / ἀξιῶ δ' ὧ ἄνδρες δικασταί,
 ἐὰν μὲν τινες τῶν συγγενῶν αὐτὸν ἐξαιτῶνται,
 ὀργίζεσθαι ὅτι τούτου μὲν οὐκ ἐπεχείρησαν δεη- 150
 θῆναι, ἢ δεθέντες οὐκ ἐδύναντο εὐρέσθαι, ποιεῖν
 τὰ ὑπὸ τῆς πόλεως προσταττόμενα, ὑμᾶς δέ
 πείθειν πειρῶνται ὥς οὐ χρὴ παρὰ τῶν ἀδικούν-
 21 των δίκην λαμβάνειν. ἐὰν δέ τινες τῶν ἀρχόντων
 βοηθῶσιν αὐτῷ ἐπιδείξιν μὲν τῆς ἑαυτῶν δυνά- 155
 μεως ποιοῦμενοι, φιλοτιμούμενοι δέ ὅτι καὶ τοὺς
 φανερώς ἡμαρτηκότας σώζειν δύνανται, ὑμᾶς δέ
 χρὴ ὑπολαμβάνειν πρῶτον μὲν ὅτι, εἰ πάντες
 Ἀλκιβιάδῃ ὅμοιοι ἐγένοντο, οὐδὲν ἂν ἔδει τοῦ
 στρατηγεῖν (οὐδὲ γὰρ ἂν εἶχον ὅτου ἡγοῖντο), 160
 ἔπειθ' ὅτι πολὺ μᾶλλον αὐτοὺς προσήκει τῶν
 λιπόντων τὴν τάξιν κατηγορεῖν ἢ ὑπὲρ τῶν τοιού-
 των ἀπολογεῖσθαι. τίς γάρ ἐστιν ἐλπὶς τοὺς

⁴ διὰ. Scheide, alii, μηδ' ἂν. Codex Laur. μηδὲ διὰ, quorum
Codex διὰ verum esse posse, μηδὲ alienum putat. ἐξαιτήσασθαι
 τὰς ἀρετὰς fortasse intelligi potest, sed non bene verbis διὰ τὸ
 αὐτῶν γένος respondet.

ἄλλους ἐβελήσειν ποιεῖν τὰ ὑπὸ τῶν στρατηγῶν
 165 προσταττόμενα, ὅταν αὐτοὶ οὗτοι τοὺς ἀκο-
 σμοῦντας σώζειν πειρῶνται; ἐγὼ τοίνυν ἄξιῶ, 22
 ἂν μὲν ἀποδείξωσιν οἱ λέγοντες καὶ αἰτούμενοι
 ὑπὲρ Ἀλκιβιάδου ὡς ἐστρατεύσατο ἐν τοῖς ὀπλί-
 ταις ἢ ὡς ἱππεύει δεδοκιμασμένος, ἀποψηφίσα-
 170 σθαι· ἐὰν δὲ μηδὲν ἔχοντες δίκαιον κελεύωσιν
 αὐτοῖς χαρίζεσθαι, μεμνήσθαι χρὴ ὅτι διδάσκου-
 σιν ὑμᾶς ἐπιорκεῖν καὶ τοῖς νόμοις μὴ πείθεσθαι,
 καὶ ὅτι λίαν προθύμως τοῖς ἀδικοῦσι βοηθοῦντες
 πολλοὺς τῶν αὐτῶν ἔργων ἐπιθυμεῖν ποιήσουσι.

§ 6. But even if it were admitted that the good personal character of a man was a reason for absolving him of some actual misconduct, Alcibiades could not claim this indulgence; for he spent a youth and early manhood defiled by debauchery, treachery, and piracy,—and that too though he was the son of a father whose treasons he ought to have tried to compensate by his own regularity and strict morality.

175 Θαυμάζω δὲ μάλιστα, ὦ ἄνδρες δικασταί, εἴ 23
 τις ὑμῶν τὸν Ἀλκιβιάδην ἀξιῶσει διὰ μὲν τοὺς
 βοηθοῦντας σώζεσθαι, διὰ δὲ τὴν αὐτοῦ πονηρίαν
 μὴ ἀπολέσθαι. ἥς ἄξιον ὑμᾶς ἀκοῦσαι, ἵν'
 ἐπίστησθε ὅτι οὐκ ἂν εἰκότως αὐτοῦ ἀποψηφίζοι-
 180 σθε, ὡς ταῦτα μὲν ἡμαρτηκότος, τὰ δ' ἄλλα
 πολίτου χρηστοῦ γεγεννημένου· ἐκ γὰρ τῶν ἄλλων
 τῶν τούτῳ πεπραγμένων δικαίως ἂν αὐτοῦ θάνα-
 τον καταψηφίζοισθε. προσήκει δ' ὑμῖν περὶ 24
 αὐτῶν εἰδέναι· ἐπειδὴ γὰρ καὶ τῶν ἀπολογου-
 185 μένων ἀποδέχεσθε λεγόντων τὰς σφετέρας αὐτῶν

ἀρετὰς καὶ τὰς τῶν προγόνων εὐεργεσίας, εἰκὸς
 ὑμᾶς καὶ τῶν κατηγόρων ἀκροᾶσθαι, ἐὰν ἀπο-
 φαίνωσι τοὺς φεύγοντας πολλὰ εἰς ὑμᾶς ἡμαρ-
 τηκότας καὶ τοὺς προγόνους αὐτῶν πολλῶν κακῶν
 25 αἰτίους γεγενημένους. / Οὗτος γὰρ παῖς μὲν ὢν 190
 παρ' Ἀρχεδήμῳ τῷ γλάμωνι, οὐκ ὀλίγα τῶν
 ὑμετέρων ὑφηρημένῳ, πολλῶν ὁρώντων ἔπινε μὲν
 ὑπὸ τῷ αὐτῷ ἱματίῳ⁵ κατακείμενος ἐκώμαζε δὲ
 μεθ' ἡμέραν, ἄνηβος ἐταίραν ἔχων, μιμούμενος τοὺς
 ἐαυτοῦ προγόνους, καὶ ἡγούμενος οὐκ ἂν δύνασθαι 195
 πρεσβύτερος ὢν λαμπρὸς γενέσθαι, εἰ μὴ νέος
 26 ὢν πονηρότατος δόξει εἶναι. μετεπέμφθη δ' ὑπὸ
 Ἀλκιβιάδου, ἐπειδὴ φανερώς ἐξημάρτανε. καίτοι
 ποῖόν τινα χρὴ αὐτὸν ὑφ' ὑμῶν νομίζεσθαι εἶναι,
 ὅστις κἀκείνῳ τοιαυτ' ἐπιτηδεύων διεβέβλητο, ὃς 200
 τοὺς ἄλλους ταυτ' ἐδίδασκε; μετὰ Θεοτίμου δὲ
 ἐπιβουλεύσας τῷ πατρὶ Ὀρεὸν⁶ προὔδωκεν. ὁ
 δὲ παραλαβὼν τὸ χωρίον πρότερον μὲν ὕβριζεν
 αὐτὸν ῥαίῳ ὄντα, τελευτῶν δὲ δῆσας ἀργύριον

⁵ ἔπινε . . ἐταίραν ἔχων. Textum Cobetii jam [3^a edit.]
 edidit. Scheibius [a Bergkio] ἔπινε μὲν ὑπὸ αὐτόματι . . ἐκώμαζε
 δὲ. Codex X sic locum exhibet, ἔτι μὲν ὑπὸ τῷ αὐτόματι κατα-
 κείμενος ἐκώμαζε μεθ' ἡμέραν κ.τ.λ. Nihili est αὐτόματι. Augerius
 latere credidit τῷ αὐτῷ στρώματι. Sed ex duobus fragm. Aristoteli-
 telis [fr. 565 (Bekker)] Ἀριστοτέλης ἐν Τυρρηνῶν νομίμοις· οἱ δὲ
 Τυρρηνοὶ δειπνοῦσι μετὰ τῶν γυναικῶν ἀνακείμενος ὑπὸ τῷ αὐτῷ
 ἱματίῳ. (2) Exc. Pol. 17, Τυρρηνῶν πάντες ὑπὸ τῷ αὐτῷ ἱματίῳ
 κατακείμενοι καὶ παρῶσί τινες] recte judicasse Cobetum apparet.
 Sic πίνειν . . κωμάζειν opponuntur in Demosth. (?) 1356, κάπι
 δαίπνα ἔχων αὐτὴν πανταχοῖ ἐπορεύετο, ὅποι πίνει, ἐκώμαζε τε δει-
 μετ' αὐτῆς. Cp. Soph. Trach. 540, Ovid, Am. 1, 4, 47.

⁶ Ὀρεὸν. Markl. Ὀρνεὸς. Cod. Pal. ὀρνεὸς. Cod. Laur.
 ὠρεοῦς quod Cobetus edidit. Nec Oreus nec Orneæ ullo modo
 ad hunc locum pertinent. Alcibiades in Thracia esse videtur.
 Ridgeway noster conj. ὠρεῖον. Vid. C. I. G. 2554, v. 195,
 ὠρεῖα = castella. Cp. Hesych. ὠρεῖα· φυλακτῆρια.

- 205 εἰσεπράττετο. ὁ δὲ πατὴρ αὐτὸν οὕτως ἐμίσει 27
σφόδρα, ὥστ' οὐδ' ἂν ἀποθανόντος ἔφασκε τὰ
ὀστᾶ κομίσασθαι. τελευτήσαντος δ' ἐκείνου
ἐραστής γενόμενος Ἀρχεβιάδης αὐτὸν ἐλύσατο.
οὐ πολλῷ δὲ χρόνῳ ὕστερον κατακυβεύσας τὰ
210 ὄντα, ἐκ Λευκῆς ἀκτῆς ὁρμώμενος τοὺς φίλους
κατεπόντιζεν. ὅσα μὲν οὖν, ὧ ἄνδρες δικασταί, 28
ἢ εἰς τοὺς πολίτας ἢ εἰς τοὺς οἰκέλους ἢ περὶ
τοὺς αὐτοῦ ξένους ἢ περὶ τοὺς ἄλλους ἡμάρτηκε,
μακρὸν ἂν εἴη λέγειν. Ἰππόνικος δὲ πολλοὺς
215 παρακαλέσας ἐξέπεμψε τὴν αὐτοῦ γυναῖκα,
φάσκων τοῦτον ὡς οὐκ ἀδελφὸν⁷ ἀλλ' ὡς ἄνδρα
ἐκείνης εἰς τὴν οἰκίαν εἰσιέναι τὴν αὐτοῦ. καὶ 29
τοιαῦθ' ἡμαρτηκότι καὶ οὕτω δεινὰ καὶ πολλὰ
καὶ μεγάλα πεπονηκότι οὔτε τῶν πεπραγμένων
220 αὐτῷ μεταμέλει οὔτε τῶν μελλόντων ἔσεσθαι,
ἀλλ' ὃν⁸ ἔδει κοσμιώτατον εἶναι τῶν πολιτῶν,
ἀπολογίαν ποιούμενον τὸν ἑαυτοῦ βίον τῶν
τοῦ πατρὸς ἁμαρτημάτων, οὗτος ἐτέρους ὑβρίζειν
πειρᾶται, ὥσπερ δυνάμενος ἂν πολλοστὸν μέρος
225 τῶν ὀνειδῶν τῶν ἑαυτῷ προσόντων τοῖς ἄλλοις
μεταδοῦναι, καὶ ταῦθ' υἱὸς ὢν Ἀλκιβιάδου, ὃς 30
ἔπεισε μὲν Δεκέλειαν Λακεδαιμονίους ἐπιτειχίσαι,
ἐπὶ δὲ τὰς νήσους ἀποστήσων ἐπλευσε, διδά-
σκαλος δὲ τῶν τῆς πόλεως κακῶν ἐγένετο, πλεο-
230 νάκισ δὲ μετὰ τῶν ἐχθρῶν ἐπὶ τὴν πατρίδα
ἐστρατεύσατο ἢ μετὰ τῶν πολιτῶν ἐπ' ἐκείνους.

⁷ ἀδελφόν. MSS. ἀδελφὸν αὐτῆς, quod manente ἐκείνης nihil est : nec in αὐτοῦ bene vertendum est si eis τὴν οἰκίαν τὴν αὐτοῦ respicias.

⁸ ἀλλ' ὃν Scheibe. Al. ὃν μᾶλλον.

ἀνθ' ὧν καὶ ὑμῖν καὶ τοῖς μέλλουσιν ἔσεσθαι
 τιμωρεῖσθαι προσήκει ὄντινα λαμβάνετε τούτων.
 31 καίτοι σφόδρα εἴθισται λέγειν ὥς οὐκ εἰκός ἐστι ^{his audacit}
 τὸν μὲν πατέρα αὐτοῦ κατελθόντα δωρεὰς παρὰ 235
 τοῦ δήμου λαβεῖν, τοῦτον δ' ἀδίκως διὰ τὴν
 φυγὴν τὴν ἐκείνου διαβεβλήσθαι. ἐμοὶ δὲ δοκεῖ
 δεινὸν εἶναι, εἰ τὰς μὲν δωρεὰς αὐτοῦ ἀφείλεσθε
 ὡς οὐ δικαίως δεδωκότες, τούτου δὲ ἀδικούντος
 ἀποψηφιεῖσθε ὡς τοῦ πατρὸς χρηστοῦ περὶ 240
 τὴν πόλιν γεγενημένου.

§ 7. His appealing to the achievements of his father is
 a great piece of audacity ; for he dares to compare his
 operations against the city to yours when trying to recover
 it. And as to Alcibiades' great power, of which he spoke,
 it consisted in his unscrupulousness. Who could not
 inflict damage on his country if he chose to betray all her
 vulnerable points to the enemy ? This is what Alcibiades
 did, nor did he ever venture to stand an audit as to the
 money he took from the public under pretence of his in-
 fluence with the king of Persia.

32 Καὶ μὲν δὴ, ὦ ἄνδρες δικασταί, ἄλλων τε
 πολλῶν ἄξιον εἶνεκα αὐτοῦ καταψηφίσασθαι, καὶ
 ὅτι ταῖς ὑμετέραις ἀρεταῖς χρῆται παραδείγματι
 περὶ τῆς ἑαυτοῦ πονηρίας. τολμᾷ γὰρ λέγειν 245
 ὥς Ἀλκιβιάδης οὐδὲν δεινὸν εἴργασται ἐπὶ τὴν
 33 πατρίδα στρατεύσας· καὶ γὰρ ὑμᾶς φεύγοντας ^{cf 242}
 Φυλὴν καταλαβεῖν καὶ δένδρα τεμεῖν καὶ πρὸς ^{inf. 1.}
 τὰ τείχη προσβαλεῖν, καὶ ταῦτα ποιήσαντας οὐκ ^{inf.}
 ὄνειδος τοῖς παισὶ καταλιπεῖν, ἀλλὰ τιμὴν παρὰ 250
 πᾶσιν ἀνθρώποις κτήσασθαι, ὡς τῶν αὐτῶν ὄντας

- ἀξίους ὅσοι φυγόντες μετὰ τῶν πολεμίων ἐπὶ τὴν
 χώραν ἐστράτευσαν, καὶ ὅσοι κατήεσαν Λακεδαι-
 μονίων ἐχόντων τὴν πόλιν. καὶ μὲν δὴ πᾶσιν 34
 255 ἡγοῦμαι δῆλον εἶναι ὅτι οὗτοι μὲν ἐζήτουν κατιέναι
 ὡς τὴν μὲν τῆς θαλάττης ἀρχὴν Λακεδαιμονίοις
 παραδώσοντας, αὐτοὶ δ' ὑμῶν ἄρξοντες· τὸ δ'
 ὑμέτερον πλήθος κατελθὼν τοὺς μὲν πολεμίους
 ἐξήλασε, τῶν δὲ πολιτῶν καὶ τοὺς βουλομένους
 260 δουλεύειν ἡλευθέρωσεν· ὥστ' οὐχ ὁμοίων τῶν ἔργων
 ἀμφοτέροις γεγενημένων τοὺς λόγους ποιεῖται.
 'Αλλ' ὅμως τοσούτων συμφορῶν καὶ οὕτως αὐτῷ 35
 μεγάλων ὑπαρχουσῶν ἐπὶ τῇ τοῦ πατρὸς πονηρίᾳ
 φιλοτιμεῖται, καὶ λέγει ὡς οὕτως ἐκείνος μέγα
 265 ἐδύνατο, ὥστε τῇ πόλει πάντων κακῶν αἴτιος
 γεγένηται. καίτοι τίς οὕτως ἄπειρος τῆς ἑαυτοῦ
 πατρίδος, ὃς οὐκ ἂν βουλόμενος εἶναι πονηρὸς
 εἰσηγήσαιτο μὲν τοῖς πολεμίοις ἅ καὶ χρὴ καταλα-
 βεῖν τῶν χωρίων, δηλώσειε δ' ἂν ἅ κακῶς φυλάτ.
 270 τεταὶ τῶν φρουρίων, διδάξειε δ' ἂν ἅ πονηρῶς
 ἔχει τῶν πραγμάτων, μηνύσειε δ' ἂν τοὺς βουλο-
 μένους ἀφίστασθαι τῶν συμμάχων; οὐ γὰρ 36
 καὶ οὐ γὰρ δήπου, ὅτε μὲν ἔφευγε, διὰ τὴν δύναμιν κακῶς
 οἶός τ' ἦν ποιεῖν τὴν πόλιν, ἐπειδὴ δὲ ὑμᾶς
 275 ἑξαπατήσας κατήλθε καὶ πολλῶν ἤρξε τριήρων,
 οὔτε τοὺς πολεμίους ἐδύνατο ἐκ τῆς χώρας
 ἐκβαλεῖν, οὔτε Χίους οὓς ἀπέστησε πάλιν φίλους
 ποιῆσαι, οὔτε ἄλλο οὐδὲν ἀγαθὸν ὑμᾶς ἐργάσασ-
 θαι. ὥστ' οὐ χαλεπὸν γινῶναι ὅτι 'Αλκιβιάδης 37
 280 δυνάμει μὲν οὐδὲν τῶν ἄλλων διέφερε, πονηρίᾳ
 δὲ τῶν πολιτῶν πρῶτος ἦν. ἅ μὲν γὰρ ᾗδει τῶν

ὑμετέρων κακῶς ἔχοντα, μηνυτῆς αὐτῶν τοῖς
 Λακεδαιμονίοις ἐγένετο· ἐπειδὴ δ' ἔδει αὐτὸν
 στρατηγεῖν, οὐδὲν κακὸν ποιεῖν ἐκείνους ἐδύνατο,
 ἀλλ' ὑποσχόμενος δι' ἑαυτὸν παρέξειν βασιλέα 285
 χρήματα, πλεον ἢ διακόσια τάλαντα τῆς πόλεως
 38 ὑφέιλετο. (καὶ οὕτω πολλὰ ἐνόμιζεν εἰς ὑμᾶς
 ἡμαρτηκέναι, ὥστε λέγειν δυνάμενος, καὶ φίλων
 ὄντων, καὶ χρήματα κεκτημένους, οὐδέποτ' ἐλθὼν
 39 τ. εὐθύνας ἐτόλμησε δοῦναι, ἀλλὰ φυγὴν αὐτοῦ 290
καταγνοὺς καὶ Θράκης καὶ πάσης πόλεως ἐβού-
 λετο πολίτης γενέσθαι μᾶλλον ἢ τῆς πατρίδος
 εἶναι τῆς ἑαυτοῦ.) καὶ τὸ τελευταῖον, ὧ ἄνδρες
 δικασταί, ὑπερβολὴν ποιησάμενος τῆς προτέρας
 πονηρίας ἐτόλμησε τὰς ναῦς Λυσάνδρῳ μετὰ 295
 39 Ἀδειμάντου προδοῦναι. / ὥστε εἴ τις ὑμῶν ἢ
 τοὺς τεθνεώτας ἐν τῇ ναυμαχίᾳ ἔλεεῖ, ἢ ὑπὲρ
 τῶν δουλευσάντων τοῖς πολεμίοις αἰσχύνεται, ἢ
 τῶν τειχῶν καθηρημένων ἀγανακτεῖ, ἢ Λακεδαι-
 μονίους μισεῖ, ἢ τοῖς τριάκοντα ὀργίζεται, τούτων 300
 ἀπάντων χρὴ τὸν τούτου πατέρα αἷτιον ἡγεῖσθαι,
 καὶ ἐνθυμηθῆναι ὅτι Ἀλκιβιάδην μὲν τὸν πρό-
 παππον αὐτοῦ καὶ τὸν πατρὸς πρὸς μητρὸς
 πάππον Μεγακλέα οἱ ὑμέτεροι πρόγονοι δις
 ἀμφοτέρους ἐξωστράκισαν, τοῦ δὲ πατρὸς αὐτοῦ 305
 οἱ πρεσβύτεροι ὑμῶν θάνατον κατέγνωσαν, ὥστε
 40 νῦν χρὴ ἡγησαμένους πατρικὸν ἐχθρὸν τοῦτον
 εἶναι τῇ πόλει καταψηφίσασθαι, καὶ μήτε ἔλεον
 μήτε συγγνώμην μήτε χάριν μηδεμίαν περὶ
 πλείονος ποιήσασθαι τῶν νόμων τῶν κειμένων 310
 καὶ τῶν ὀρκῶν οὐς ὠμόσατε.

§ 8. *You can have no motive for sparing such men as the defendant or his father, stained as they are with the most hideous crimes and debaucheries. Neither is there any hope—as in some cases—of his improving if mercy is shown him; nor is he of such manly or intrepid character as to be an object of fear if you make him an enemy.*

Condemn him therefore for the sake of example, and to be rid of him from the State; seeing that he is clearly guilty under this indictment, though I have not been able to state a tithe of his misdeeds or those of his father.

Σκέψασθαι δὲ χρή, ὦ ἄνδρες δικασταί, διὰ τί 41
 ἂν τις τοιούτων ἀνδρῶν φείσαιο; πότερον ὥς
 πρὸς μὲν τὴν πόλιν δεδυστυχήκασιν, ἄλλως δὲ
 315 κόσμιοί εἰσι καὶ σωφρόνως βεβιώκασιν; οὐχ οἱ
 μὲν πολλοὶ αὐτῶν ἡταιρήκασιν, οἱ δὲ ἀδελφαῖς
 συγγεγόνασι, τοῖς δ' ἐκ θυγατέρων παῖδες γεγό-
 νασιν, οἱ δὲ μυστήρια πεποιήκασι καὶ τοὺς 42
 Ἑρμᾶς περικεκόφασι καὶ περὶ πάντας τοὺς θεοὺς
 320 ἡσεβήκασι καὶ εἰς ἅπασαν τὴν πόλιν ἡμαρτή-
 κασιν, ἀδίκως καὶ παρανόμως καὶ πρὸς τοὺς
 ἄλλους διακείμενοι καὶ πρὸς σφᾶς αὐτοὺς πολι-
 τεύόμενοι, οὐδεμιᾶς τόλμης ἀπεχόμενοι, οὐδὲ
 ἔργου δεινοῦ ἄπειροι γεγεννημένοι; ἀλλὰ καὶ
 325 πεπόνθασι καὶ πεποιήκασιν ἅπαντα. / οὕτω γὰρ
 διάκεινται, ὥστ' ἐπὶ μὲν τοῖς καλοῖς αἰσχύνεσθαι,
 ἐπὶ δὲ τοῖς κακοῖς φιλοτιμείσθαι. Καὶ μὲν δὴ, 43
 ὦ ἄνδρες δικασταί, ἤδη τινῶν ἀπεψηφίσασθε
 ἀδικεῖν μὲν νομίσαντες, οἰόμενοι δ' εἰς τὸ λοιπὸν
 330 χρησίμους ὑμῖν ἔσεσθαι. τίς οὖν ἔλπις ὑπὸ
 τούτου τι ἀγαθὸν πείσεσθαι τὴν πόλιν, ὃν ὑμεῖς,
 ὅτι μὲν οὐδενὸς ἄξιός ἐστιν, ἐπειδὴν ἀπολογῆται,

εἴσεσθε, ὅτι δὲ πονηρός ἐστιν, ἐκ τῶν ἄλλων
 44 ἐπιτηδευμάτων ἤσθησθε; Ἀλλὰ μὲν δὴ οὐδ' ἂν
 ἐξελθὼν ἐκ τῆς πόλεως οὐδὲν δύναίτο κακὸν ὑμᾶς 335
 ἐργάσασθαι, δειλὸς ὢν καὶ πένης καὶ πράττειν
ἄδύνατος καὶ τοῖς οἰκέλοις διάφορος καὶ ὑπὸ τῶν
 ἄλλων μισούμενος. ὥστ' οὐδὲ τούτων ἕνεκα
 45 αὐτὸν ἄξιον φυλάττεσθαι, ἀλλὰ πολὺ μᾶλλον
 παράδειγμα ποιῆσαι καὶ τοῖς ἄλλοις καὶ τοῖς 340
 τούτου φίλοις, οἳ τὰ μὲν προσταττόμενα ποιεῖν
 οὐκ ἐθέλουσι, τοιούτων δ' ἔργων ἐπιθυμοῦσι, καὶ
 περὶ τῶν σφετέρων αὐτῶν κακῶς βουλευσάμενοι
 περὶ τῶν ὑμετέρων δημηγοροῦσιν.
 46 Ἐγὼ μὲν οὖν ὡς ἐδυνάμην ἄριστα κατηγόρηκα, 345
 ἐπίσταμαι δ' ὅτι οἱ μὲν ἄλλοι τῶν ἀκροωμένων
 θαυμάζουσιν, ὅπως ποθ' οὕτως ἀκριβῶς ἐδυνήθην
 ἐξευρεῖν τὰ τούτων ἁμαρτήματα, οὗτος δέ μου
 καταγελαῖ, ὅτι οὐδὲ πολλοστὸν μέρος εἴρηκα τῶν
 47 τούτοις ὑπαρχόντων κακῶν. ὑμεῖς οὖν καὶ τὰ 350
 εἰρημένα καὶ τὰ παραλελειμμένα ἀναλογισάμενοι
 πολὺ μᾶλλον αὐτοῦ καταψηφίσασθε, ἐνθυμη-
 θέντες ὅτι ἔνοχος μὲν ἐστὶ τῇ γραφῇ, μεγάλη δ'
 εὐτυχία τὸ τοιούτων πολιτῶν ἀπαλλαγῆναι πόλει.
 Ἀνάγνωθι δ' αὐτοῖς τοὺς νόμους καὶ τοὺς ὅρκους 355
 καὶ τὴν γραφὴν· καὶ τούτων μεμνημένοι ψηφι-
 οῦνται τὰ δίκαια.

CA 15.98.

RECITATION OF LAWS ON WHICH THE SPEAKER
 RELIES; THE OATH OF THE JURORS; AND TEXT OF
 THE INDICTMENT.

ORATION VIII. [16.]

FOR THE DEFENCE. FOR MANTITHEUS, ON HIS
 'SCRUTINY' WHEN ELECTED INTO THE BOULÈ.
 THE ACCUSER HAD OBJECTED TO HIM THAT
 HE HAD SERVED IN THE CAVALRY UNDER THE
 THIRTY. THE CASE IS HEARD BEFORE THE
 BOULÈ.

§ 1. *If it were not for their evident evil animus, I should thank my accusers for giving me the opportunity of triumphantly vindicating my loyalty and general character.*

Εἰ μὴ συνήδειν, ὦ βουλὴ, τοῖς κατηγοροῖς
 βουλομένοις ἐκ παντὸς τρόπου κακῶς ἐμὲ ποιεῖν,
 πολλὴν ἂν αὐτοῖς χάριν εἶχον ταύτης τῆς κατη-
 γορίας· ἡγοῦμαι γὰρ τοῖς ἀδίκως διαβεβλημένοις
 5 τούτους εἶναι μεγίστων ἀγαθῶν αἰτίους, οἵτινες
 ἂν αὐτοὺς ἀναγκάζωσιν εἰς ἔλεγχον τῶν αὐτοῖς
 βεβιωμένων καταστήναι. ἐγὼ γὰρ οὕτω σφό- 2
 δρα ἐμαυτῷ πιστεύω, ὥστ' ἐλπίζω καὶ εἴ τις
 πρὸς με τυγχάνει ἀηδῶς¹ διακείμενος, ἐπειδὴν
 10 ἐμοῦ λέγοντος ἀκούσῃ περὶ τῶν πεπραγμένων,
 μεταμελήσειν αὐτῷ καὶ πολὺ βελτίω με εἰς τὸν
 λοιπὸν χρόνον ἡγήσεσθαι. ἀξιῶ δέ, ὦ βουλὴ, 3
 εἰ μὴ τούτο μόνον ὑμῖν ἐπιδείξω, ὡς εὖνους εἰμὶ
 τοῖς καθεστηκόσι πράγμασι καὶ ὡς ἠνάγκασμαι
 15 τῶν αὐτῶν κινδύνων μετέχειν ὑμῖν, μηδὲν πῶ

¹ ἀηδῶς Cobetus. Vulg. ἀηδῶς ἢ κακῶς.

μοι πλέον εἶναι· ἐὰν δὲ φαίνωμαι καὶ περὶ τὰ ἄλλα μετρίως βεβιωκὼς καὶ πολὺ παρὰ τὴν δόξαν καὶ παρὰ τοὺς λόγους τοὺς τῶν ἐχθρῶν, δέομαι ὑμῶν ἐμὲ μὲν δοκιμάζειν, τούτους δὲ ἡγεῖσθαι χεῖρους εἶναι. πρῶτον δὲ ἀποδείξω ὥς οὐχ 20 ἵππευον οὐτ' ἐπεδήμουν ἐπὶ τῶν τριάκοντα, οὐδὲ μετέσχον τῆς τότε πολιτείας.

§ 2. *They charge me with having served in the cavalry under the Thirty. The fact is, I was not at Athens when the walls were being destroyed, and the revolution in progress. Is it likely that when I came back I should have wished to mix myself up in such troubles, or that the Thirty should have cared to give me any share in their constitution?*

The official register of the cavalry made by the Thirty is not good evidence, because many names are there of those who never served, many absent who did. Much better evidence is that of the lists given in by your orders to the Phylarchs to recover the cavalry allowances. In these no one pretends that my name appears. Besides, if I had served in the cavalry, and could show that in so doing I did no one an injury, I should be in the same position as many others who have since been elected to various offices.

4 Ἡμᾶς γὰρ ὁ πατήρ πρὸ τῆς ἐν Ἑλλησπόντῳ συμφορᾶς ὡς Σάτυρον τὸν ἐν τῷ Πόντῳ διαιτησο-
 μένους ἐξέπεμψε, καὶ οὔτε τῶν τειχῶν καθαιρου- 25
 μένων οὔτε μεθισταμένης τῆς πολιτείας, ἀλλ' ἤλθομεν πρὶν τοὺς ἀπὸ Φυλῆς εἰς τὸν Πειραιᾶ
 5 κατελθεῖν πρότερον πένθ' ἡμέραις. καίτοι οὔτε
 ἡμᾶς εἰκὸς ἦν εἰς τοιοῦτον καιρὸν ἀφιγμένους
 ἐπιθυμεῖν μετέχειν τῶν ἀλλοτρῶν κινδύνων, 30

οὗτ' ἐκείνοι φαίνονται τοιαύτην γνώμην σχόντες²
 ὥστε καὶ τοῖς ἀποδημοῦσι καὶ τοῖς μηδὲν ἑξαμαρ-
 τάνουσι μεταδιδόναι τῆς πολιτείας, ἀλλὰ μᾶλλον
 ἡτίμαζον καὶ τοὺς συγκαταλύσαντας τὸν δῆμον.
 35 Ἐπειτα δὲ ἐκ μὲν τοῦ σανιδίου τοὺς ἱππεύσαντας⁶
 σκοπεῖν εὐηθές ἐστιν· ἐν τούτῳ γὰρ πολλοὶ μὲν
 τῶν ὁμολογούντων ἱππεύειν οὐκ ἔνεισιν, ἔνιοι δὲ
 τῶν ἀποδημούντων ἐπιγεγραμμένοι εἰσίν. ἐκεῖνος
 δ' ἐστὶν ἔλεγχος μέγιστος· ἐπειδὴ γὰρ κατ-
 40 ἦλθετε, ἐψηφίσασθε τοὺς φυλάρχους ἀπενεγκεῖν
 τοὺς ἱππεύσαντας, ἵνα τὰς καταστάσεις ἀνα-
 πράττητε³ παρ' αὐτῶν. ἐμὲ τοίνυν οὐδεὶς ἂν
 ἀποδείξειεν οὗτ' ἀπενεχθέντα ὑπὸ τῶν φυλάρχων
 οὔτε παραδοθέντα τοῖς συνδίκοις οὔτε κατάστασιν
 45 καταβαλόντα. καίτοι πᾶσι ῥάδιον τοῦτο γνῶναι,
 ὅτι ἀναγκαῖον ἦν τοῖς φυλάρχοις, εἰ μὴ ἀπο-
 δείξειαν⁴ τοὺς ἔχοντας τὰς καταστάσεις, αὐτοῖς
 ζημιοῦσθαι. ὥστε πολὺν ἂν δικαιότερον ἐκείνοις
 τοῖς γράμμασιν ἢ τούτοις πιστεύετε· ἐκ μὲν
 50 γὰρ τούτων ῥάδιον ἦν ἐξαλειφθῆναι τῷ βουλο-
 μένῳ, ἐν ἐκείνοις δὲ τοὺς ἱππεύσαντας ἀναγκαῖον
 ἦν ὑπὸ τῶν φυλάρχων ἀπενεχθῆναι. Ἔτι δέ,
 ὦ βουλή, εἶπερ ἵππευσα, οὐκ ἂν ἦν ἑξαρνος ὥς
 δεινόν τι πεποιηκώς, ἀλλ' ἡξίουν, ἀποδείξας ὥς
 55 οὐδεὶς ὑπ' ἐμοῦ τῶν πολιτῶν κακῶς πέπονθε.

² σχόντες *Saupprius*. *Cobet* cum MSS. ἔχοντες, sed aoristo opus est.

³ Αἱ ἀναπράττετε. *Saupprius* ἀναπράξατε. Vid. quod de hoc subj. adnotavimus. Cf. *Goodwin*, M. and T., § 318 sq.

⁴ ἀποδείξειαν *Cobet* ut magis Atticum pro ἀποδείξαιεν (MSS.) scribi iussit. Vid. *Donald*. G. G., p. 179.

δοκιμάζεσθαι. ὁρῶ δὲ καὶ ὑμᾶς ταύτῃ τῇ γνώμῃ
 χρωμένους, καὶ πολλοὺς μὲν τῶν τότε ἵππευσάν-
 των βουλεύοντας, πολλοὺς δ' αὐτῶν στρατηγούς
 καὶ ἱππάρχους κεχειροτονημένους. ὥστε μηδὲν
 δι' ἄλλο με ἡγείσθε ταύτην ποιεῖσθαι τὴν ἀπο- 60
 λογίαν, ἢ ὅτι περιφανῶς ἐτόλμησάν μου κατα-
 ψεύσασθαι. Ἀνάβηθι δέ μοι καὶ μαρτύρησον.

EVIDENCE GIVEN THAT THE DEFENDANT'S NAME
 WAS NOT IN THE PHYLARCH'S LIST OF CAVALRY.

- 9 Περὶ μὲν τοίνυν ταύτης τῆς αἰτίας οὐκ οἶδ' ὅ-
 τι δεῖ πλείω λέγειν· δοκεῖ δέ μοι, ὦ βουλὴ, ἐν
 μὲν τοῖς ἄλλοις ἀγῶσι περὶ αὐτῶν μόνων τῶν 65
 κατηγορημένων προσήκειν ἀπολογεῖσθαι, ἐν δὲ
 ταῖς δοκιμασίαις δίκαιον εἶναι παντὸς τοῦ βίου
 λόγον διδόναι. δέομαι οὖν ὑμῶν μετ' εὐνοίας
 ἀκροάσασθαι μου. ποιήσομαι δὲ τὴν ἀπολογίαν
 ὥς ἂν δύνωμαι διὰ βραχυτάτων. 70

§ 3. *Having disposed of that charge, I proceed to speak of the blamelessness of my life in general:—*
(1) Though much hampered in my means, I endowed two sisters and gave my brother more than his share. (2) All the dissolute youth of the city you will find are my enemies. (3) I have never had any action, private or public, brought against me. (4) I have served in the army at the Haliartus, and as a hoplite when I might have served in the cavalry; and supplied poorer citizens with the necessary means to enter on the expedition. (5) I served with credit in the Corinthian expedition,

and thence volunteered for Boeotia when Agesilaus invaded it.

Ἐγὼ γὰρ πρῶτον μὲν οὐσίας μοι οὐ πολλῆς ¹⁰
καταλειφθείσης διὰ τὰς συμφορὰς καὶ τὰς τοῦ
πατρὸς καὶ τὰς τῆς πόλεως, δύο μὲν ἀδελφὰς
ἐξέδωκα, ἐπιδούς τριάκοντα μνᾶς ἑκατέρα, πρὸς
75 τὸν ἀδελφὸν δ' οὕτως ἐνειμάμην ὥστ' ἐκείνον
πλέον ὁμολογεῖν ἔχειν ἐμοῦ τῶν πατρῶων, καὶ
πρὸς τοὺς ἄλλους ἅπαντας οὕτω βεβίωκα ὥστε
μηδεπώποτε μοι μηδὲ πρὸς ἓνα μηδὲν ἔγκλημα
γενέσθαι. καὶ τὰ μὲν ἴδια οὕτω διόκηκα· περὶ ¹¹
80 δὲ τῶν κοινῶν μοι μέγιστον ἡγοῦμαι τεκμήριον
εἶναι τῆς ἐμῆς ἐπιεικειάς, ὅτι τῶν νεωτέρων ὅσοι
περὶ κύβους ἢ πότους ἢ περὶ τὰς* τοιαύτας
ἀκολασίας τυγχάνουσι τὰς διατριβὰς ποιούμενοι,
πάντας αὐτοὺς ὄψεσθέ μοι διαφόρους ὄντας, καὶ
85 πλείστα τούτους περὶ ἐμοῦ λογοποιοῦντας καὶ
ψευδομένους. καίτοι δῆλον ὅτι, εἰ τῶν αὐτῶν
ἐπεθυμοῦμεν, οὐκ ἂν τοιαύτην γνώμην εἶχον περὶ
ἐμοῦ. ἔτι δ', ὦ βουλή, οὐδεὶς ἂν ἀποδείξαι περὶ ¹²
ἐμοῦ δύναιτο οὔτε δίκην αἰσχρὰν οὔτε γραφὴν
90 οὔτε εἰσαγγελίαν γεγεννημένην· καίτοι ἑτέρους
ὁρᾶτε πολλάκις εἰς τοιούτους ἀγῶνας καθε-
στηκότας. πρὸς τοῖνυν τὰς στρατείας καὶ τοὺς
κινδύνους τοὺς πρὸς τοὺς πολεμίους σκέψασθε
οἶον ἐμαυτὸν παρέχω τῇ πόλει. πρῶτον μὲν ¹³
95 γάρ, ὅτε τὴν συμμαχίαν ἐποιήσασθε πρὸς τοὺς
Βοιωτοὺς καὶ εἰς Ἀλιάρτον ἔδει βοηθεῖν, ὑπὸ
Ὅρθοβούλου κατειλεγμένος ἱππεύειν, ἐπειδὴ
πάντας ἑώρων τοῖς μὲν ἱππεύουσιν ἀσφάλειαν

* Pro περὶ τὰς Cob. ἐτέρας.

εἶναι δὴ⁵ νομίζοντας, τοῖς δ' ὀπλίταις κίνδυνον
 ἡγουμένους, ἐτέρων ἀναβάντων ἐπὶ τοὺς ἵππους 100
 ἀδοκιμάστων παρὰ τὸν νόμον ἐγὼ προσελθὼν
 ἔφην τῷ Ὀρθοβούλῳ ἐξαλείψαι με ἐκ τοῦ κατα-
 λόγου, ἡγούμενος αἰσχρὸν εἶναι τοῦ πλήθους
 μέλλοντος κινδυνεύειν ἄδεια ἐμαυτῷ παρασκευά-
 σαντι στρατεύεσθαι. Καί μοι ἀνάβηθι, Ὀρθό- 105
 βουλε.

THE EVIDENCE OF ORTHOBULUS.

14 Συλλεγέντων τοίνυν τῶν δημοτῶν πρὸ τῆς
 ἐξόδου, εἰδὼς αὐτῶν ἐνλοὺς πολίτας μὲν χρηστοὺς
 ὄντας καὶ προθύμους, ἐφοδίῳ δὲ ἀποροῦντας,
 εἶπον ὅτι χρή τοὺς ἔχοντας παρέχειν τὰ ἐπιτή- 110
 δεια τοῖς ἀπόρως διακειμένοις. καὶ οὐ μόνον
 τοῦτο συνεβούλευον τοῖς ἄλλοις, ἀλλὰ καὶ αὐτὸς
 ἔδωκα δυοῖν ἀνδροῖν τριάκοντα δραχμὰς ἑκατέρῳ,
 οὐχ ὥς πολλὰ κεκτημένος, ἀλλ' ἵνα παράδειγμα
 τοῦτο τοῖς ἄλλοις γένηται. Καί μοι ἀνάβητε, 115
 μάρτυρες.

EVIDENCE GIVEN AS TO THE DEFENDANT'S
CONTRIBUTION OF 60 DRACHMÆ.

15 Μετὰ ταῦτα τοίνυν, ὦ βουλή, εἰς Κόρινθον
 ἐξόδου γενομένης καὶ πάντων προειδόντων ὅτι
 δεήσει κινδυνεύειν, ἐτέρων ἀναδυόμενων ἐγὼ

⁵ δὴ, *Scheide* δεῖν scribit, sed conj. δεινόν. At δὴ, ut sæpe,
 sententiam alterius nec ab eo qui loquitur probatam notat.

- 120 διεπραξάμην ὥστε τῆς πρώτης τεταγμένος μάχε-
σθαι τοῖς πολεμίοις· καὶ μάλιστα τῆς ἡμετέρας
φυλῆς δυστυχῆσάσης, καὶ πλείστων ἐνθανόντων,⁶
ὑστερον ἀνεχώρησα τοῦ σεμνοῦ Στειριέως τοῦ
πᾶσιν ἀνθρώποις δειλῶν ὠνειδικότος. καὶ οὐ 16
- 125 πολλαῖς ἡμέραις ὑστερον μετὰ ταῦτα ἐν Κορίνθῳ
χωρίων ἰσχυρῶν κατειλημμένων, ὥστε τοὺς πολε-
μίους μὴ δύνασθαι προσιέναι, Ἀγησιλάου δ' εἰς
τὴν Βοιωτίαν ἐμβαλόντος, ψηφισαμένων τῶν
ἀρχόντων ἀποχωρίσαι τάξεις αἵτινες βοηθήσουσι, 17
- 130 φοβουμένων ἀπάντων (εἰκότως, ὦ βουλή· δεινὸν
γὰρ ἦν ἀγαπητῶς ὀλίγῳ πρότερον σεσωσμένους
ἐφ' ἑτερον κίνδυνον ἰέναι) προσελθὼν ἐγὼ τὸν
ταξίαρχον ἐκέλευον ἀκληρωτὶ τὴν ἡμετέραν τάξιν
πέμπειν. ὥστ' εἴ τινες ὑμῶν ὀργίζονται τοῖς τὰ 17
- 135 μὲν τῆς πόλεως ἀξιούσι πράττειν, ἐκ δὲ τῶν
κινδύνων ἀποδιδράσκουσιν, οὐκ ἂν δικαίως περὶ
ἐμοῦ τὴν γνώμην ταύτην ἔχοιεν· οὐ γὰρ μόνον
τὰ προσταττόμενα ἐποιοῦν προθύμως, ἀλλὰ καὶ
κινδυνεύειν ἐτόλμων. καὶ ταῦτ' ἐποιοῦν οὐχ ὥς
- 140 οὐ δεινὸν ἡγούμενος εἶναι Λακεδαιμονίοις μάχε-
σθαι, ἀλλ' ἵνα, εἴ ποτε ἀδίκως εἰς κίνδυνον
καθισταίμην, διὰ ταῦτα βελτίων ὑφ' ὑμῶν νομιζό-
μενος ἀπάντων τῶν δικαίων τυγχάνοιμι. Καί
μοι ἀνάβητε τούτων μάρτυρες.

⁶ Auger. ἐναποθανόντων, Scheibe ἐνταῦθα θανόντων malit,
Cobet ἀποθανόντων, ὑστερος.

ἡ πόλις = community

φύλη = country

ΧΙΕΡ ΜΑΝΤΙΘΕΟΥ.

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EVIDENCE AS TO THE DEFENDANT'S CONDUCT IN
THE CORINTHIAN CAMPAIGN AND THE EXPEDI-
TION INTO BŒOTIA.

§ 4. *If I have been orderly in my general conduct, do not let my forwardness in military matters be quoted against me ; for from such conduct you all are gainers.*

Nor let it be held to be discreditable that I ventured to take part in politics at an early age. I confess to being ambitious to serve my country as my ancestors did. I am encouraged further by noticing that you show especial favour to such ambition : and you, after all, are the sole judges in the matter.

- 18 Τῶν τοίνυν ἄλλων στρατειῶν καὶ φρουρῶν 145
οὐδεμιᾶς ἀπελείφθην πώποτε, ἀλλὰ πάντα τὸν
χρόνον διατετέλεκα μετὰ τῶν πρώτων μὲν τὰς
ἐξόδους ποιούμενος, μετὰ τῶν τελευταίων δὲ
ἀναχωρῶν. καίτοι χρή τοὺς φιλοτίμως καὶ
κοσμίως πολιτευομένους ἐκ τῶν τοιούτων σκοπεῖν, 150
ἀλλ' οὐκ εἴ τις κομᾷ,⁷ διὰ τοῦτο μισεῖν τὰ μὲν
γὰρ τοιαῦτα ἐπιτηδεύματα οὔτε τοὺς ἰδιώτας οὔτε
τὸ κοινὸν τῆς πόλεως βλάπτει, ἐκ δὲ τῶν κιν-
δυνεύειν ἐθελόντων πρὸς τοὺς πολεμίους ἅπαντες
19 ὑμεῖς ὠφελεῖσθε. ὥστε οὐκ ἄξιον ἀπ' ὀψεως, ὧ 155
βουλή, οὔτε φιλεῖν οὔτε μισεῖν οὐδένα, ἀλλ' ἐκ
τῶν ἔργων σκοπεῖν πολλοὶ μὲν γὰρ μικρὸν δια-
λεγόμενοι καὶ κοσμίως ἀμπεχόμενοι⁸ μεγάλων
κακῶν αἵτιοι γεγόνασιν, ἕτεροι δὲ τῶν τοιούτων

⁷ MS. τολμᾷ. *Hamakerus* κομᾷ, quod certè cum ἀπ' ὀψεως

. . ἀλλ' ἐκ τῶν ἔργων optime jungitur : cf. *Arist., Eq.* 580.

⁸ περιερχόμενοι, *Dobr. Cobet* ἀμπεχόμενοι. MSS. ἀπερχόμενοι.

160 ἀμελοῦντες πολλὰ καὶ γαθὰ ὑμᾶς εἰσιν εἰργασμένοι.

Ἦδη δέ τινων ἡσθόμην, ὦ βουλή, καὶ διὰ ταῦτα ἀχθομένων μοι, ὅτι νεώτερος ὢν ἐπεχείρησα λέγειν ἐν τῷ δήμῳ. ἐγὼ δὲ τὸ μὲν πρῶτον
 165 ἠναγκάσθην ὑπὲρ τῶν ἐμαντοῦ πραγμάτων δημηγορήσαι, ἔπειτα μέντοι καὶ ἐμαντῷ δοκῶ φιλοτιμότερον διατεθῆναι τοῦ δέαντος, ἅμα μὲν τῶν προγόνων ἐνθυμούμενος, ὅτι οὐδὲν πέπαυνται τὰ τῆς πόλεως πράττοντες, ἅμα δὲ ὑμᾶς ὁρῶν
 170 (τὰ γὰρ ἀληθῆ χρῆ λέγειν) τούτους μόνους ἀξίους νομίζοντας εἶναι. ὥστε ὁρῶν ὑμᾶς ταύτην τὴν γνώμην ἔχοντας τίς οὐκ ἂν ἐπαρθείη πράττειν καὶ λέγειν ὑπὲρ τῆς πόλεως; ἔτι δὲ τί ἂν τοῖς τοιοῦτοις ἄχθοισθε; οὐ γὰρ ἕτεροι περὶ αὐτῶν
 175 κριταί εἰσιν, ἀλλ' ὑμεῖς.

misited

Sept. 24. '98.

Ἐπταίρω

ORATION IX. [17.]

FOR THE CLAIMANT AGAINST THE TREASURY, ON A DISPUTED CLAIM UPON THE CONFISCATED PROPERTY OF ERATON.

§ 1. *I am no speaker, though perhaps you may think I am. But listen to a plain story. Eraton borrowed two talents from my grandfather. He paid the interest as long as he lived. On his death his property was divided among his three sons, who failed to pay the interest. Immediately after the Restoration my father sued the third son, Erasistratus, who was the only one of*

the three in Athens, and obtained a verdict for the whole debt, which his third share did not cover. So all Erasistratus's property is legally mine; and I have a claim upon the property of the other brothers also. But meanwhile the whole estate of Eraton was confiscated; and I can prove (1) that the whole estate was adjudged to me; (2) that it was all included in the confiscation, even the third share which was Erasistratus's, and of which I had nominally taken possession.

Ἴσως τινὲς ὑμῶν, ὧ ἄνδρες δικασταί, διὰ τὸ βούλεσθαι με ἄξιον εἶναι τινος ἡγοῦνται καὶ εἰπεῖν ἂν μᾶλλον ἐτέρου δύνασθαι· ἐγὼ δὲ τοσούτου δέω περὶ τῶν μὴ προσηκόντων ἱκανὸς εἶναι λέγειν, ὥστε δέδοικα μὴ καὶ περὶ ὧν ἀναγκαιὸν μοί ἐστι λέγειν,¹ ἀδύνατος ὦ τὰ δέοντα εἰπεῖν. οἶομαι μὲν οὖν, ἂν πάντα διηγῆσωμαι τὰ πεπραγμένα ἡμῖν πρὸς Ἑράτωνα καὶ τοὺς ἐκείνου παῖδας, ῥαδίως ἐξ αὐτῶν ὑμᾶς εὐρήσειν ἃ προσήκει σκέψασθαι περὶ ταύτης τῆς διαδικασίας. ἐξ ἀρχῆς οὖν ἀκούσατε.

2 Ἑράτων ὁ Ἑρασιφώντος πατὴρ ἐδανείσατο παρὰ τοῦ ἐμοῦ πάππου τάλαντα δύο. ὅτι μὲν οὖν ἔλαβε τὰργύριον καὶ ὡς τοσοῦτόν γε ἐδεήθη δανεῖσαι, ὧν ἐναντίον ἐδόθη, μάρτυρας ὑμῖν παρέξομαι· ὡς δ' ἐχρήσατο αὐτῷ καὶ ὅσα ὠφελήθη, οἱ μᾶλλον τε ἐμοῦ εἰδότες καὶ παραγεγεννημένοι οἷς ἐκεῖνος ἔπραττε διηγῆσονται ὑμῖν καὶ μαρτυρήσουσι. Καί μοι κάλει μάρτυρας.

¹ Cobetus λέγειν abesse vult.

EVIDENCE AS TO THE ORIGINAL LOAN.

20 "Εως τοίνυν ὁ Ἐράτων ἔζη, τοὺς τε τόκους 3
ἀπελάμβανον ἐγὼ καὶ τὰλλα τὰ συγκείμενα·
ἐπειδὴ δὲ ἐτελεύτησε καταλιπὼν υἱοὺς τρεῖς,
Ἐρασιφῶντα καὶ Ἐράτωνα καὶ Ἐρασίστρατον,
οὗτοι οὐδὲν ἔτι ἡμῖν τῶν δικαίων ἐποιοῦν. ἐν
25 μὲν οὖν τῷ πολέμῳ, διότι οὐκ ἦσαν δίκαι, οὐ
δυνατοὶ ἦμεν παρ' αὐτῶν ἀ ὄφειλον πράξασθαι·
ἐπειδὴ δὲ εἰρήνη ἐγένετο, ὅτε περ πρῶτον αἱ
ἀστικάι δίκαι ἐδικάζοντο, λαχὼν ὁ πατήρ παντὸς
τοῦ συμβολαίου Ἐρασιστράτῳ, ὅσπερ μόνος τῶν
30 ἀδελφῶν ἐπεδήμει, κατεδικάσατο ἐπὶ Ξεναινέτου
ἄρχοντος. μάρτυρας δὲ καὶ τούτων παρέξομαι
ὑμῖν. Καί μοι κάλει μάρτυρας.

EVIDENCE OF THE SUCCESSFUL SUIT BY THE
SPEAKER'S FATHER AGAINST ERASISTRATUS.

"Οτι μὲν τὰ Ἐράτωνος δικαίως ἂν ἡμέτερα εἴη, 4
ἐκ τούτων ῥάδιον εἰδέναι, ὅτι δὲ πάντα δημεύεται,
35 ἐξ αὐτῶν τῶν ἀπογραφῶν· τρεῖς γὰρ καὶ τέτ-
ταρες ἕκαστα ἀπογεγράφασι. καίτοι τοῦτό γε
παντὶ εὖγνωστον, ὅτι οὐκ ἂν παρέλιπον, εἴ τι
ἄλλο τῶν Ἐράτωνος οἷόν τε ἦν δημεύειν, πάντα
τὰ Ἐράτωνος ἀπογράφοντες, καὶ ἀ ἐγὼ² πολὺν
40 ἤδη χρόνον κέκτημαι.

§ 2. *This, then, is my proposal. I cannot now*

² MSS. καὶ λέγω. Locus multum vexatus est, nec quidquam pro certo habeo, e.g. in MSS. τὴν πάντα τὰ Ἐράτωνος legitur. *Francken* δημεύειν, ἀπέγραφον καὶ ἀ ἐγὼ verbis πάντα τὰ Ἐράτωνος omittis.

recover from any individuals, for the whole estate is confiscated. While I was dealing with private individuals I claimed the whole. But now that I am claiming from the State, I only ask for one-third, to be calculated with liberality in favour of the State. I value my third at fifteen minæ, whereas Erasistratus's third has been valued at more than a talent. Let the surplus, whatever it be, when the property is sold, go to the State.

Ὡς μὲν οὖν ἡμῖν οὐδ' ἐτέρωθεν εἰσπράξασθαι οἶόν τε, ἂν ὑμεῖς ταῦτα δημεύσητε, εὖγνωστόν 5 μοι δοκεῖ εἶναι· ὥς δὲ τὴν ἀμφισβήτησιν ἐποίησάμην πρὸς τε ὑμᾶς καὶ τοὺς ιδιώτας, ἔτι ἀκούσατε. ἕως μὲν γὰρ ἡμῖν οἱ Ἑρασιφώντος οἰκεῖδι 45 τούτων τῶν χρημάτων ἡμφισβήτουν, ἅπαντα ἠξίουں ἐμὰ εἶναι, διότι ὑπὲρ ἅπαντος τοῦ χρέως ἀντιδικῶν πρὸς τὸν πατέρα ὁ Ἑρασίστρατος ἠττήθη· καὶ τὰ μὲν Σφηττοῖ ἤδη τρία ἔτη μεμίσθωκα, τῶν δὲ Κικυνοῖ καὶ τῆς οἰκίας ἐδικαζόμεν 50 τοῖς ἔχουσι. πέρυσι μὲν οὖν διεγράψαντό μου τὰς δίκας, ἔμποροι φάσκοντες εἶναι· νυνὶ δὲ λαχόντος ἐν τῷ Γαμηλιῶνι μηνὶ οἱ ναυτοδίκαι 6 οὐκ ἐξεδίκασαν. ἐπειδὴ δ' ὑμῖν τὰ Ἑράτωνος³ δημεύειν ἔδοξεν, ἀφείς τῇ πόλει τὰ δύο μέρη τὰ 55 Ἑρασιστράτου ἀξιῶ μοι ψηφισθῆναι, διότι ταῦτά γε ἤδη καὶ πρότερον ἐγνώκατε ἡμέτερα εἶναι. ὠρισάμην οὖν ἐμαντῷ τὸ τρίτον μέρος τῆς ἐκείνων οὐσίας οὐ τὴν ἀκρίβειαν ἐπισκεψάμενος, ἀλλὰ πολλῷ πλεον ἢ τὰ δύο μέρη τῷ δημοσίῳ ὑπολι- 60 7 πών. ῥάδιον δὲ γνῶναι ἐκ τοῦ τιμήματος τοῦ

³ Ἑράτωνος Meier, cui assentit R. C. Jebb, Att. Orat., vol. i. p. 301. Vulgo Ἑρασιφώντος.

ἐπιγεγραμμένον τοῖς χρήμασιν. ἅπαντα μὲν
 γὰρ πλείονος ἢ ταλάντου τετίμηνται, ὧν δ' ἐγὼ
 ἀμφισβητῶ τῷ μὲν πέντε μνᾶς τῷ δὲ χιλίας
 65 δραχμὰς ἐπεγραψάμην· καὶ εἰ πλείονος ἄξιά
 ἐστὶν ἢ τοσούτου, ἀποκηρυχθέντων τὸ περιττὸν
 ἢ πόλις λήψεται. ἵνα οὖν εἰδῆτε ὅτι ταῦτα 8
 ἀληθῆ ἐστί, μάρτυρας ὑμῖν παρέξομαι πρῶτον
 μὲν τοὺς μεμισθωμένους παρ' ἐμοῦ τὸ Σφηττοῖ
 70 χωρίον, ἔπειτα τοῦ Κικυνοῖ τοὺς γείτονας, οἳ
 ἴσασιν ἡμᾶς ἤδη τρία ἔτη ἀμφισβητοῦντας ἔτι
 δὲ τοὺς τε πέρυσιν ἄρξαντας, πρὸς οὓς αἱ δίκαι
 ἐλήχθησαν, καὶ τοὺς νῦν ναυτοδίκας. ἀναγ- 9
 νωσθήσονται δὲ ὑμῖν καὶ αὐταὶ αἱ ἀπογραφαί·
 75 ἐκ τούτων γὰρ μάλιστα γνώσεσθε ὅτι οὔτε νεωστὶ
 ταῦτα τὰ χρήματα ἀξιούμεν ἡμέτερα εἶναι, οὔτε
 νυνὶ τῷ δημοσίῳ πλειόνων ἀμφισβητοῦμεν ἢ τῷ
 ἔμπροσθεν χρόνῳ τοῖς ιδιώταις. Καί μοι κάλει
 μάρτυρας.

EVIDENCE OF ARCHONS, NAUTODICÆ, AND OF CERTAIN
 PERSONS LIVING NEAR KIKYNO. RECITATION
 OF THE SCHEDULES.

80 "Ὅτι μὲν, ὦ ἄνδρες δικασταί, οὐ παρὰ τὸ δί- 10
 καιον ἀξιῶ μοι ψηφίσασθαι τὸ διαδίκασμα, ἀλλ'
 αὐτὸς τῇ πόλει πολλὰ τῶν ἐμαυτοῦ ἀφείς τοῦτο
 ἀξιῶ μοι ἀποδοθῆναι, ἀποδέδεικται. ἤδη δέ μοι
 δοκεῖ δίκαιον εἶναι καὶ δεηθῆναι ὑμῶν τε καὶ τῶν
 85 συνδίκων ἐναντίον ὑμῶν.

ORATION X. [19.]

FOR THE DEFENDANT, CHARGED WITH THE CONCEALMENT BY HIS OWN OR FATHER'S ACT OF SOME OF THE CONFISCATED PROPERTY OF ARISTOPHANES.

§ 1. *The gravity of the issues of this trial, my own inexperience, and the disadvantages necessarily attaching to a defendant, make me of course anxious. Many a man has perished on a charge, the falsity of which has been discovered too late. Pause, then, and hear what I have to say.*

Πολλήν μοι ἀπορίαν παρέχει ὁ ἀγὼν οὕτοσί, ὦ ἄνδρες δικασταί, ὅταν ἐνθυμηθῶ ὅτι, ἂν ἐγὼ μὲν μὴ νῦν εὖ εἴπω, οὐ μόνον ἐγὼ ἀλλὰ καὶ ὁ πατήρ δόξει ἄδικος εἶναι καὶ τῶν ὄντων ἀπάντων στερήσομαι. ἀνάγκη οὖν, εἰ καὶ μὴ δεινὸς πρὸς 5 ταῦτα πέφυκα, βοηθεῖν τῷ πατρὶ καὶ ἐμαυτῷ οὕτως ὅπως ἂν δύνωμαι. τὴν μὲν οὖν παρασκευὴν καὶ προθυμίαν τῶν ἐχθρῶν ὀρᾶτε, καὶ οὐδὲν δεῖ περὶ τούτων λέγειν· τὴν δ' ἐμὴν ἀπειρίαν πάντες ἴσασιν, ὅσοι ἐμὲ γιγνώσκουσιν. 10 αἰτήσομαι οὖν ὑμᾶς δίκαια καὶ ῥάδια χαρίσασθαι, ἄνευ ὀργῆς καὶ ἡμῶν ἀκοῦσαι, ὥσπερ τῶν κατη- 3 γόρων. ἀνάγκη γὰρ τὸν ἀπολογούμενον, κὰν ἐξ ἴσου ἀκροᾷσθε, ἔλαττον ἔχειν. οἱ μὲν γὰρ ἐκ πολλοῦ χρόνου ἐπιβουλεύοντες, αὐτοὶ ἄνευ κιν- 15 δύνων ὄντες, τὴν κατηγορίαν ἐποίησαντο, ἡμεῖς δὲ ἀγωνιζόμεθα μετὰ δέους καὶ διαβολῆς καὶ

κινδύνου μεγίστου. εἰκὸς οὖν ὑμᾶς εὖνοιαν
 πλείω ἔχειν τοῖς ἀπολογουμένοις. οἶμαι γὰρ 4
 20 πάντας ὑμᾶς εἰδέναι ὅτι πολλοὶ ἤδη πολλὰ καὶ
 δεινὰ κατηγορήσαντες παραχρῆμα ἐξηλέγχθησαν
 ψευδόμενοι οὕτω φανερώς, ὥστε ὑπὲρ πάντων
 τῶν πεπραγμένων μισηθέντες ἀπελθεῖν· οἱ δ' αὖ
 μαρτυρήσαντες τὰ ψευδῆ καὶ ἀδίκως ἀπολέσαντες
 25 ἀνθρώπους ἐάλωσαν, ἡνίκα οὐδὲν ἦν πλέον τοῖς
 πεπονθόσιν. ὅτ' οὖν τοιαῦτα πολλὰ γεγένηται, 5
 ὡς ἐγὼ ἀκούω, εἰκὸς ὑμᾶς, ὧ ἄνδρες δικασταί,
 μήπω τοὺς τῶν κατηγορῶν λόγους ἡγείσθαι
 πιστούς, πρὶν ἂν καὶ ἡμεῖς εἴπωμεν. ἀκούω γὰρ
 30 ἔγωγε, καὶ ὑμῶν δὲ τοὺς πολλοὺς οἶμαι εἰδέναι,
 ὅτι πάντων δεινότατόν ἐστι διαβολή. μάλιστα 6
 δὲ τοῦτο ἔχοι ἂν τις ἰδεῖν, ὅταν πολλοὶ ἐπὶ τῇ
 αὐτῇ αἰτίᾳ εἰς ἀγῶνα καταστῶσιν. ὡς γὰρ ἐπὶ
 τὸ πολὺ οἱ τελευταῖοι κρινόμενοι σώζονται·
 35 πεπαυμένοι γὰρ τῆς ὀργῆς αὐτῶν ἀκροᾶσθε, καὶ
 τοὺς ἐλέγχους ἤδη θέλοντες ἀποδέχεσθε.

For the case is mine as admitted

§ 2. *What a hard case is mine! Nikophemus and his son Aristophanes (my brother-in-law) were put to death without trial; were refused burial; their property was confiscated; and the children of Aristophanes, thus deprived of means, are dependent on me. And yet I am now also in danger of losing what my father—that liberal patriot—left me, on the ground of being in possession of part of his property; at a time too when the treasury is so poor that any one engaged in a suit affecting the revenue is at a special disadvantage.*

Ἐνθυμεῖσθε οὖν ὅτι Νικόφημος καὶ Ἀριστο- 7

φάνης ἄκριτοι ἀπέθανον, πρὶν παραγενέσθαι τινὰ
 αὐτοῖς ἐλεγχομένοις ὡς ἡδίκουν. οὐδεὶς γὰρ οὐδ'
 εἶδεν ἐκείνους μετὰ τὴν σύλληψιν· οὐδὲ γὰρ 40
 θάψαι τὰ σώματ' αὐτῶν ἀπέδωκαν, ἀλλ' οὕτω
 δεινὴ ἢ συμφορὰ γεγένηται ὥστε πρὸς τοῖς ἄλλοις
 8 καὶ τούτου ἐστέρηνται. ἀλλὰ ταῦτα μὲν ἐάσω·
 οὐδὲν γὰρ ἂν περαίνοιμι· πολὺ δὲ ἀθλιώτεροι
 δοκοῦσί μοι οἱ παῖδες οἱ Ἀριστοφάνους. οὐδένα 45
 γὰρ οὐτ' ἰδίᾳ οὔτε δημοσίᾳ ἡδικηκότες οὐ μόνον
 τὰ πατρῶα ἀπολωλέκασι παρὰ τοὺς νόμους τοὺς
 ὑμετέρους, ἀλλὰ καὶ ἡ ὑπόλοιπος ἐλπίς ἦν, ὑπὸ
 τοῦ πάππου ἐκτραφῆναι, ἐν οὕτῳ δεινῷ καθέ-
 9 στηκεν. ἔτι δ' ἡμεῖς ἐστερημένοι μὲν κηδεστών, 50
 ἐστερημένοι δὲ τῆς προικός, παιδάρια δὲ τρία
 ἡναγκασμένοι τρέφειν, προσέτι συκοφαντούμεθα,
 καὶ κινδυνεύομεν περὶ ὧν οἱ πρόγονοι ἡμῖν κατέ-
 λιπον κτησάμενοι ἐκ τοῦ δικαίου. καίτοι, ὦ
 ἄνδρες δικασταί, ὁ ἐμὸς πατὴρ ἐν ᾧπαντι τῷ βίῳ 55
 πλείῳ εἰς τὴν πόλιν ἀνάλωσεν ἢ εἰς αὐτὸν καὶ
 τοὺς οἰκέλους, τετραπλάσια¹ δὲ ἡ νῦν ἔστιν ἡμῖν,
 ὡς ἐγὼ λογιζομένῳ αὐτῷ πολλάκις παρεγενόμην.
 10 μὴ οὖν προκαταγινώσκετε ἀδικίαν τοῦ εἰς αὐτὸν
 μὲν μικρὰ δαπανῶντος, ὑμῖν δὲ πολλὰ καθ' 60
 ἕκαστον τὸν ἐνιαυτόν,* ἀλλ' ὅσοι καὶ τὰ πατρῶα
 καὶ ἂν τί ποθεν λάβωσιν,² εἰς τὰς αἰσχίστας
 11 ἡδονὰς εἰθισμένοι εἰσὶν ἀναλίσκειν. χαλεπὸν
 μὲν οὖν, ὦ ἄνδρες δικασταί, ἀπολογεῖσθαι πρὸς

¹ τετραπλάσια (i.e. δ' πλάσια) "nunc e Spengelii emendatione scripsi. Coll., § 59 et 61." *Scheibe*. Vulgo διπλάσια.

² λάβωσιν, Codex X μὴ δῶσιν. Alii aliter correxerunt. *Francken* μεταδῶ τις. * *W.* add. ἐπιδιδόντος.

65 δόξαν ἦν ἔνιοι ἔχουσι περὶ τῆς Νικοφήμεου οὐσίας,
καὶ διὰ σπάνιν ἀργυρίου ἢ νῦν ἐστὶν ἐν τῇ πόλει,
καὶ τοῦ ἀγῶνος πρὸς τὸ δημόσιον ὄντος· ὁμως δὲ
καὶ τούτων ὑπαρχόντων ῥαδίως γνῶσεσθε ὅτι
οὐκ ἀληθῆ ἐστὶ τὰ κατηγορημένα. δέομαι δ'
70 ὑμῶν πάσῃ τέχνῃ καὶ μηχανῇ μετ' εὐνοίας
ἀκροασαμένους ἡμῶν διὰ τέλους, ὃ τι ἂν ὑμῖν
ἄριστον καὶ εὐορκότατον νομίζητε εἶναι, τοῦτο
ψηφίσασθαι.

§ 3. *Now, was my father likely to have fraudulently withheld this money? Remember he did not seek the alliance with Aristophanes for his daughter, but gave her on the request of Conon. Moreover, his whole conduct,—his marriage with my portionless mother, his selection of poor men as husbands for his daughters, of a portionless wife for me, his son,—proves that he was not likely to be grasping.*

Πρῶτον μὲν οὖν, ᾧ τρόπῳ κηδεσταὶ ἡμῖν ἐγέ- 12
75 νοντο. διδάξω ὑμᾶς. στρατηγῶν γὰρ Κόνων
περὶ Πελοπόννησον, τριηραρχήσαντι τῷ ἐμῷ
πατρὶ πάλαι φίλος γεγενημένος, ἐδεήθη δοῦναι
τὴν ἀδελφὴν αἰτοῦντι τῷ υἱεῖ τῷ Νικοφήμεου. ὁ 13
δὲ ὁρῶν αὐτοὺς ὑπ' ἐκείνου τε πεπιστευμένους
80 γεγονότας τε ἐπιεικεῖς τῇ τε πόλει ἔν γε τῷ τότε
χρόνῳ ἀρέσκοντας, ἐπείσθη δοῦναι, οὐκ εἰδὼς τὴν
ἐσομένην διαβολήν, ἀλλ' ὅτε καὶ ὑμῶν ὅστισούν
ἂν ἐκείνοις ἠξίωσε κηδεστῆς γενέσθαι, ἐπεὶ ὅτι
γε οὐ χρημάτων ἕνεκα, ῥάδιον γινῶναι ἐκ τοῦ
85 βίου παντὸς καὶ τῶν ἔργων τῶν τοῦ πατρός.
ἐκεῖνος γὰρ ὅτ' ἦν ἐν ἡλικίᾳ, παρὸν μετὰ πολλῶν 14

- χρημάτων γῆμαι ἄλλην, τὴν ἐμὴν μητέρα ἔλαβεν
 οὐδὲν ἐπιφερομένην, ὅτι δὲ Ξενοφώντας ἦν θυ-
 γάτηρ τοῦ Εὐριπίδου υἱέος, δς οὐ μόνον ἰδίᾳ
 χρηστὸς ἐδόκει εἶναι, ἀλλὰ καὶ στρατηγεῖν αὐτὸν 90
 15 ἤξιώσατε, ὥς ἐγὼ ἀκούω. τὰς τοίνυν ἐμὰς
 ἀδελφὰς θελόντων τινῶν λαβεῖν ἀπροίκους πάνυ
 πλουσίων οὐκ ἔδωκεν,³ ὅτι ἐδόκουν κάκιον γεγο-
 νέναι, ἀλλὰ τὴν μὲν Φιλομήλῃ τῷ Παιανιεῖ, δν
 οἱ πολλοὶ βελτίονα ἡγοῦνται εἶναι ἢ πλουσιώ- 95
 τερον, τὴν δὲ πένητι γεγενημένῃ οὐ διὰ κακίαν,
 ἀδελφιδῷ δὲ Φαίδρῳ τῷ Μυρρινουσίῳ, ἐπιδούς
 τετταράκοντα μνᾶς, καὶ Ἀριστοφάνει τὸ ἴσον.
 16 πρὸς δὲ τούτοις ἐμοὶ πολλὴν ἐξὸν πάνυ προῖκα
 λαβεῖν ἐλάττω συνεβούλευσεν, ὥστε εὖ εἰδέναι 100
 ὅτι κηδεσταῖς χρησοίμην κοσμίως καὶ σώφροσι.
 καὶ νῦν ἔχω γυναῖκα τὴν Κριτοδήμου θυγατέρα
 τοῦ Ἀλωπεκῆθεν, δς ὑπὸ Λακεδαιμονίων ἀπε-
 θανεν, ὅτε ἡ ναυμαχία ἐγένετο ἐν Ἑλλησπόντῳ.
 17 καίτοι, ὦ ἄνδρες δικασταί, ὅστις αὐτός τε ἄνευ 105
 χρημάτων ἔγχευε ταῖν τε θυγατέροιν πολὺ ἀργύ-
 ριον ἐπέδωκε τῷ τε υἱεῖ ὀλίγην προῖκα ἔλαβε,
 πῶς οὐκ εἰκὸς περὶ τούτου πιστεύειν ὥς οὐχ
 ἕνεκα χρημάτων τούτοις κηδεστής ἐγένετο ;

§ 4. Again, was Aristophanes likely to leave much property? He spent freely in his desire for political distinction. It was he that undertook the mission to Dionysius in hopes of detaching him from Sparta, and uniting him with Evagoras. Again, he contributed largely to the subvention asked for from Cyprus: in this

³ οὐκ ἔδωκεν, Reiske et Scheibe. Vulgo οὐ δέδωκεν.

matter he spared neither his own nor his brother's fortune, and borrowed of my father besides. To show you how he had impoverished himself I will tell you this. Demus asked me to raise money on a gold cup he had, and bring it to Cyprus: I asked Aristophanes, accordingly, to lend sixteen minæ. He replied that not only had he not got so much, but that he had had to borrow from friends. On another occasion, when entertaining the ambassadors of Evagoras, he had to borrow the necessary plate. Finally, the inventory will show how little moveable property he left.

- 110 Ἄλλὰ μὴν ὃ γε Ἀριστοφάνης ἤδη ἔχων τὴν 18
 γυναῖκα ὅτι πολλοῖς ἀν⁴ μᾶλλον ἐχρήτο ἢ τῷ
 ἐμῷ πατρί, ῥάδιον γινῶναι. ἥ τε γὰρ ἡλικία
 πολὺ διάφορος, ἥ τε φύσις ἔτι πλέον· ἐκείνῳ
 μὲν γὰρ ἦν τὰ ἑαυτοῦ πράττειν, Ἀριστοφάνης
 115 δὲ οὐ μόνον τῶν ἰδίων ἀλλὰ καὶ τῶν κοινῶν
 ἐβούλετο ἐπιμελεῖσθαι, καὶ εἴ τι ἦν αὐτῷ ἀργύριον,
 ἀνήλωσεν ἐπιθυμῶν τιμᾶσθαι. γινώσθε δὲ ὅτι 19
 ἀληθῆ λέγω ἐξ αὐτῶν ὧν ἐκείνος ἔπραττε. πρῶ-
 τον μὲν γὰρ βουλομένου Κόνωνος πέμπειν τινὰ
 120 εἰς Σικελίαν, ὥχετο ὑποστὰς μετὰ Εὐνόμου,
 Διονυσίου* φίλου ὄντος καὶ ξένου, τὸ πλήθος τὸ
 ὑμέτερον πλείστα ἀγαθὰ πεποιηκότος, ὥς ἐγὼ
 ἀκήκοα τῶν ἐν Πειραιεῖ παραγενομένων.⁵ ἦσαν 20
 δ' ἐλπίδες τοῦ πλοῦ πείσαι Διονύσιον κηδεστὴν
 125 μὲν γενέσθαι Εὐαγόρα, πολέμιον δὲ Λακεδαι-
 μονίοις, φίλον δὲ καὶ σύμμαχον τῇ πόλει τῇ
 ὑμετέρᾳ. καὶ ταῦτ' ἔπραττον πολλῶν κινδύνων
 ὑπαρχόντων πρὸς τὴν θάλασσαν καὶ τοὺς πο-

⁴ πολλοῖς ἀν MSS. πολλοῖς δὲ Scheide.

⁵ Scheide τῶν παραγενομένων.

* Διονυσίου Saupprius: legebatur καὶ Λυσίου.

λεμίους, καὶ ἔπεισαν Διονύσιον μὴ πέμψαι
 τριήρεις ἃς τότε παρεσκευάσατο Λακεδαιμονίοις. 130
 21 μετὰ δὲ ταῦτα ἐπειδὴ οἱ πρέσβεις ἤκου ἐκ
 Κύπρου ἐπὶ τὴν βοήθειαν, οὐδὲν ἐνέλιπε προ-
 θυμίας σπεύδων. ὑμεῖς δὲ τριήρεις αὐτοῖς ἔδοτε
 καὶ τᾶλλα ἐψηφίσασθε, ἀργυρίου δ' εἰς τὸν
 ἀπόστολον ἠπόρου. ὀλίγα μὲν γὰρ ἦλθον 135
 ἔχοντες χρήματα, πολλῶν δὲ προσεδεήθησαν·
 οὐ γὰρ μόνον εἰς τὰς ναῦς, ἀλλὰ καὶ πελταστὰς
 22 ἐμισθώσαντο καὶ ὅπλα ἐπρίαντο. Ἀριστοφάνης
 δ' οὖν τῶν χρημάτων τὰ μὲν πλείστα αὐτὸς
 παρέσχεν· ἐπειδὴ δὲ οὐχ ἱκανὰ ἦν, τοὺς φίλους 140
 ἔπειθε δεόμενος καὶ ἐγγυώμενος, καὶ τοῦ ἀδελφοῦ
 τοῦ ὁμοπατρίου ἀποκειμένας παρ' αὐτῷ τεσσαρά-
 κοντα μυᾶς ἔχων⁶ κατεχρήσατο. τῇ δὲ προ-
 τεραίᾳ ἢ ἀνήγετο, εἰσελθὼν ὡς τὸν πατέρα τὸν
 ἐμὸν ἐκέλευσε χρῆσαι ὅ τι εἴη ἀργύριον. προσ- 145
 δεῖν γὰρ ἔφη πρὸς τὸν μισθὸν τοῖς πελτασταῖς.
 ἦσαν δ' ἡμῖν ἔνδον ἑπτὰ μυαί· ὁ δὲ καὶ ταύτας
 23 λαβὼν κατεχρήσατο. τίνα γὰρ οἴεσθε, ὦ ἄνδρες
 δικασταί, φιλότιμον μὲν ὄντα, ἐπιστολῶν δ'
 αὐτῷ ἠκουσῶν παρὰ τοῦ πατρὸς μηδὲν ἀπορήσειν 150
 ἐκ Κύπρου, ἡρημένον δὲ πρεσβευτὴν καὶ μέλλοντα
 πλεῖν ὡς Εὐαγόραν, ὑπολιπέσθαι ἂν τι τῶν
 ὄντων, ἀλλ' οὐκ εἰ ἦν δυνατὸς πάντα παρασχόντα
 χαρίσασθαι ἐκείνῳ τε καὶ κομίσασθαι μὴ ἐλάττω ;
 Ὡς τοίνυν ταῦτ' ἐστὶν ἀληθῆ, κάλει μοι Εὐνο- 155
 μον.

⁶ ἔχων *Cobetius*. Alii εἰπὼν [MS. X], λαβὼν, πείθων, ἀπορῶν.
 ἀπιὼν nunc probat *Scheide*. αὐτῷ ego scripsi : sed vide vii. 64.

WITNESSES AS TO THE PROCEEDINGS OF ARISTOPHANES IN THE MATTER OF HIS MISSION TO EVAGORAS.

- Τῶν μὲν μαρτύρων ἀκούετε, οὐ μόνον ὅτι ²⁴
 ἔχρησαν* ἐκείνου δεηθέντος, ἀλλὰ καὶ ὅτι ἀπειλή-
 φασιν· ἐκομίσθη γὰρ αὐτοῖς ἐπὶ τῆς τριήρους.
- 160 Ῥάδιον μὲν οὖν ἐκ τῶν εἰρημένων γινῶναι ὅτι
 τοιούτων καιρῶν συμπεσόντων οὐδενὸς ἂν ἐφείσατο
 τῶν ἑαυτοῦ· ὃ δὲ μέγιστον τεκμήριον· Δῆμος ²⁵
 γὰρ ὁ Πυριλάμπους, τριηραρχῶν εἰς Κύπρον,
 ἐδεήθη μου προσελθεῖν αὐτῷ, λέγων ὅτι ἔλαβε
- 165 σύμβολον παρὰ βασιλέως τοῦ μεγάλου φιάλην
 χρυσήν,⁷ καὶ λαβεῖν ἐκκαίδεκα μνᾶς ἐπ' αὐτῇ,
 ἃς ἔχοι ἀναλίσκειν εἰς τὰ τῆς τριηραρχίας·
 ἐπειδὴ δὲ εἰς Κύπρον ἀφίκοιτο, λύσεσθαι ἀποδοῦς
 εἴκοσι μνᾶς· πολλῶν γὰρ ἀγαθῶν καὶ ἄλλων καὶ
- 170 χρημάτων εὐπορήσειν διὰ τὸ σύμβολον ἐν πάσῃ
 τῇ ἡπείρῳ. Ἀριστοφάνης τοίνυν ἀκούων μὲν ²⁶
 ταῦτα Δήμου, δεομένου δ' ἐμοῦ, μέλλων δ' ἄξειν
 τὸ χρυσίον, τέτταρας δὲ μνᾶς τόκον λήψεσθαι,
 οὐκ ἔφη εἶναι, ἀλλ' ὥμνυ καὶ προσδεδανεῖσθαι
- 175 τοῖς ξένοις ἄλλοθεν, ἐπειδὴ ἥδιστ' ἂν ἀνθρώπων
 ἄγειν τε εὐθὺς ἐκείνο τὸ σύμβολον καὶ χαρίσα-
 σθαι ἡμῖν ἃ ἐδεόμεθα. ὥς δὲ ταῦτ' ἐστὶν ἀληθῆ,²⁷
 μάρτυρας ὑμῖν παρέξομαι.

* Al. ἔχρησαν τὸ ἀργύριον.

⁷ Omisi ὡς Ἀριστοφάνην, quæ verba seclussit Scheibe.

WITNESS AS TO ARISTOPHANES REFUSING TO LEND
ON THE SECURITY OF THE GOLD CUP.

“Ὅτι μὲν τοίνυν οὐ κατέλιπεν Ἀριστοφάνης
ἀργύριον οὐδὲ χρυσίον, ῥάδιον γνῶναι ἐκ τῶν 180
εἰρημένων καὶ μεμαρτυρημένων· χαλκώματα δὲ
σύμμικτα οὐ πολλὰ ἐκέκτητο. ἀλλὰ καὶ ὅθ’ εἰστία
τοὺς παρ’ Εὐαγόρου πρεσβεύοντας, αἰτησάμενος
ἐχρήσατο. ἃ δὲ κατέλιπεν, ἀναγνώσεται ὑμῖν.

SCHEDULE OF THE PERSONAL PROPERTY OF
ARISTOPHANES.

§ 5. *The list is small. But remember that before the battle of Cnidus [B.C. 394] he had nothing but a small estate at Rhamnus. That was about five years before his death, and in that interval he twice supplied a chorus, served as trierarch three years running, gave many contributions to the State, bought a town house and more than 300 plethra of land. He was not therefore likely to leave much personal property behind.*

28 Ἴσως ἐνίοις ὑμῶν, ὦ ἄνδρες δικασταί, δοκεῖ 185
ὀλίγα εἶναι· ἀλλ’ ἐκεῖνο ἐνθυμείσθε, ὅτι πρὶν
τὴν ναυμαχίαν νικῆσαι ἡμᾶς, οὐκ ἦν ἀλλ’ ἡ
χωρίδιον μικρὸν Ῥαμνοῦντι. ἐγένετο δ’ ἡ ναυ-
19 μαχία ἐπ’ Εὐβούλου ἄρχοντος. ἐν οὖν τέτταρσιν
ἡ πέντε ἔτεσι, πρότερον μὴ ὑπαρχούσης οὐσίας, 190
χαλεπόν, ὦ ἄνδρες δικασταί, τραγηδοῖς τε δις
χορηγῆσαι, ὑπὲρ αὐτοῦ τε καὶ τοῦ πατρός, καὶ
τρὶς ἔτη συνεχῶς τριηραρχῆσαι, εἰσφοράς τε
πολλὰς εἰσενηνοχέαι, οἰκίαν τε πεντήκοντα μνῶν
• πρίασθαι, γῆς τε πλεον ἢ τριακόσια πλέθρα 195

κτήσασθαι· ἔτι δὲ πρὸς τούτοις οἴεσθε χρήναι
 ἐπιπλα πολλὰ καταλελοιπέναι; ἀλλ' οὐδ' οἱ 30
 πάλοι πλούσιοι δοκοῦντες εἶναι ἄξια λόγου
 ἔχοιεν ἂν ἐξενεγκεῖν· ἐνότε γὰρ οὐκ ἔστιν, οὐδ'
 200 εἰάν τις πάνυ ἐπιθυμῇ, πρίασθαι τοιαῦτα ἃ κτησα-
 μένῳ εἰς τὸν λοιπὸν χρόνον ἡδονὴν ἂν παρέχοι.

§ 6. *Another proof that the State has his personal property in full. We took care that his goods should not be exposed to plunder by the doors of his house being wrenched off, as often happens, and no one left in charge. I will swear too most solemnly, not only that I have none of his goods, but that he died owing us my sister's portion, and seven minæ besides. It is hard to suffer this loss, to be saddled with the widow and children, and yet to be punished as though I had embezzled his goods.*

Ἄλλὰ τόδε σκοπεῖτε. τῶν ἄλλων ὅσων ἔδη- 31
 μεύσατε τὰ χρήματα, οὐχ ὅπως σκευή ἀπέδοσθε,
 ἀλλὰ καὶ αἱ θύραι ἀπὸ τῶν οἰκημάτων ἀφηρ-
 205 πάσθησαν· ἡμεῖς δὲ ἤδη δεδημευμένων καὶ ἐξελη-
 λυθείας τῆς ἐμῆς ἀδελφῆς φύλακα κατεστήσαμεν
 ἐν τῇ οἰκίᾳ, ἵνα μήτε θυρώματα μήτε ἀργεῖα μήτε
 ἄλλο μηδὲν ἀπόλοιτο. ἐπιπλα δὲ ἀπεφαίνετο⁸
 πλείον ἢ χιλίων δραχμῶν, ὅσα οὐδενός πώποτ'
 210 ἐλάβετε. πρὸς δὲ τούτοις καὶ πρότερον πρὸς 32
 τοὺς συνδίκους καὶ νῦν ἐθέλομεν πίστιν δοῦναι,
 ἥτις ἐστὶ μεγίστη τοῖς ἀνθρώποις, μὴ ἔχειν τῶν
 Ἀριστοφάνους χρημάτων, ὀφείλεσθαι δὲ τὴν
 προῖκα τῆς ἀδελφῆς καὶ ἑπτὰ μνᾶς, ἃς ὄχρετο
 215 λαβὼν παρὰ τοῦ πατρὸς τοῦ ἐμοῦ. πῶς ἂν οὖν 33

⁸ ἀπεφαίνετο Cobetus. Scheibe et vulgo ἀπεφαίνοντο.

εἶεν ἄνθρωποι ἀθλιώτεροι, ἢ εἰ τὰ σφέτερ' αὐτῶν
ἀπολωλεκότες δοκοῖεν τὰ κείνων ἔχειν ; ὃ δὲ πάν-
των δεινότατον, τὴν ἀδελφὴν ὑποδέξασθαι παιδία
ἔχουσιν πολλά, καὶ ταῦτα τρέφειν, μὴδ' αὐτοὺς
ἔχοντας μὴδέν, ἐὰν ὑμεῖς τὰ ὄντ' ἀφέλησθε. 220

§ 7. *Take what might be an analogous case,—that of Conon. He was much richer than Nikophemus. Suppose now the property of his son Timotheos to be confiscated. Would his relations be prosecuted because the property turned out to be, as it did, less than was expected? Now, considering the money sunk by Aristophanes, as I have described, it is rather a wonder that his personal property was as much as a third of that of Conon, without counting what his father Nikophemus had at Cyprus.*

- 34 Φέρε πρὸς θεῶν Ὀλυμπίων· οὕτω γὰρ σκο-
πεῖτε, ὦ δικασταί. εἴ τις ὑμῶν ἔτυχε δοὺς
Τιμοθέῳ τῷ Κόνωνος τὴν θυγατέρα ἢ τὴν ἀδελ-
φήν, καὶ ἐκείνου ἀποδημήσαντος καὶ ἐν διαβολῇ
γενομένου ἐδημεύθη ἡ οὐσία, καὶ μὴ ἐγένετο 225
τῇ πόλει πραθέντων ἀπάντων τέτταρα τάλαντα
ἀργυρίου, διὰ τοῦτο ἡξιούτε ἂν τοὺς ἀναγκαίους
τοὺς ἐκείνου καὶ τοὺς προσήκοντας ἀπολέσαι, ὅτι
οὐδὲ πολλοστὸν μέρος τῆς δόξης τῆς παρ' ὑμῖν
35 ἐφάνη τὰ χρήματα ; ἀλλὰ μὴν τούτων πάντες 230
ἐπίστασθε Κόνωνα μὲν ἄρχοντα, Νικόφημον δὲ
ποιοῦντα ὃ τι ἐκείνος προστάττοι. τῶν οὖν
ὠφελειῶν Κόνωνα εἰκὸς πολλοστὸν μέρος ἄλλω
τινὶ μεταδιδόναι, ὥστ' εἰ οἴονται πολλὰ γενέσθαι
Νικοφήμῳ, ὁμολογήσειαν ἂν τὰ Κόνωνος εἶναι 235
36 πλείονα ἢ δεκαπλάσια. ἔτι δὲ φαίνονται οὐδὲν

πώποτε διενεχθέντες, ὥστ' εἰκὸς καὶ περὶ τῶν
 χρημάτων ταῦτ' αὖθις γινώσκειν, ἱκανὰ μὲν⁹ ἐνθάδε τῷ
 νικητῇ ἐκάτερον καταλιπεῖν, τὰ δὲ ἄλλα παρ' αὐτοῖς
 240 ἔχειν· ἦν γὰρ Κόνωνι μὲν υἱὸς ἐν Κύπρῳ καὶ
 γυνή, Νικοφῆμω δὲ γυνή καὶ θυγάτηρ, ἡγούντες
 δὲ καὶ τὰ ἐκεῖ ὁμοίως σφίσιν εἶναι σῶ¹⁰ ὥσπερ καὶ
 τὰ ἐνθάδε. πρὸς δὲ τούτοις ἐνθυμείσθε ὅτι καὶ 37
 εἴ τις μὴ κτησάμενος ἀλλὰ παρὰ τοῦ πατρὸς
 245 παραλαβὼν τοῖς παισὶ διένειμεν, οὐκ ἐλάχιστα
 ἂν αὐτῷ ὑπέλιπε· βούλονται γὰρ πάντες ὑπὸ
 τῶν παίδων θεραπεύεσθαι ἔχοντες χρήματα μᾶλ-
 λον ἢ ἐκείνων δεῖσθαι ἀποροῦντες. νῦν τοίνυν 38
 εἰ δημεύσαίτε τὰ Τιμοθέου,—ὃ μὴ γένοιτο, εἰ μὴ
 250 τι μέλλει μέγα ἀγαθὸν* ἔσσεσθαι τῇ πόλει,—
 ἐλάττονα δὲ ἐξ αὐτῶν λάβοιτ' ἢ ἐκ τῶν Ἀριστο-
 φάνους γεγέννηται, τούτου ἕνεκα ἂν ἀξιόιτε τοὺς
 ἀναγκαίους τοὺς ἐκείνου τὰ σφέτερ' αὐτῶν ἀπο-
 λέσαι; ἀλλ' οὐκ εἰκός, ὦ ἄνδρες δικασταί· ὁ 39
 255 γὰρ Κόνωνος θάνατος καὶ αἱ διαθήκαι, ἃς διέθετο
 ἐν Κύπρῳ, σαφῶς ἐδήλωσαν ὅτι πολλοστὸν
 μέρος ἦν τὰ χρήματα ὧν ὑμεῖς προσεδοκάτε· τῇ
 μὲν γὰρ Ἀθηνᾷ καθιέρωσεν εἰς ἀναθήματα καὶ
 τῷ Ἀπόλλωνι εἰς Δελφοὺς πεντακισχιλίας
 260 στατῆρας· τῷ δὲ ἀδελφιδῷ τῷ ἑαυτοῦ, ὃς ἐφύ- 40
 λαττεν αὐτῷ καὶ ἐταμίευε πάντα τὰ ἐν Κύπρῳ,
 ἔδωκεν ὡς μυρίας δραχμάς, τῷ δὲ ἀδελφῷ τρία
 τάλαντα· τὰ δὲ λοιπὰ τῷ νικητῇ κατέλιπε, τάλαντα
 ἑπτακαίδεκα. τούτων δὲ κεφάλαιον γίγνεται

⁹ Cobetus vult τὰ μὲν.

¹⁰ σῶ, 'quod Atticum est pro σῶα.'—Cobetus. Vulg. ἴσα.

* Rauch. μέγα κακόν. W. μέγ' ἄλλο κακόν.

περὶ τετταράκοντα τάλαντα. καὶ οὐδενὶ οἷόν τε 265
εἰπεῖν ὅτι διηρπάσθη ἢ ὥς οὐ δικαίως ἀπεφάνθη·
41 αὐτὸς γὰρ ἐν τῇ νόσφ ὦν εὖ φρονῶν διέθετο.
Καὶ μοι κάλει τούτων μάρτυρας.

WITNESSES AS TO CONON'S WILL AND THE
AMOUNT OF HIS PERSONALTY.

42 Ἄλλα μὴν ὅστισοῦν, ὧ ἄνδρες δικασταί, πρὶν
ἀμφότερα δῆλα γενέσθαι, πολλοστὸν μέρος τὰ 270
Νικοφῆμου τῶν Κόνωνος χρημάτων ᾤκηθη ἂν
εἶναι. Ἀριστοφάνης τοίνυν γῆν μὲν καὶ οἰκίαν
ἐκτήσατο πλεον ἢ πέντε ταλάντων, κατεχορήγησε
δὲ ὑπὲρ αὐτοῦ καὶ τοῦ πατρὸς πεντακισχιλίας
δραχμάς, τριηραρχῶν δὲ ἀνήλωσεν ὀγδοήκοντα 275
43 μνᾶς. εἰσενήνεκται δὲ ὑπὲρ ἀμφοτέρων οὐκ
ἔλαττον μνῶν τετταράκοντα. εἰς δὲ τὸν ἐπὶ
Σικελίας πλοῦν ἀνήλωσεν ἑκατὸν μνᾶς. εἰς δὲ
τὸν ἀπόστολον τῶν τριήρων, ὅτε οἱ Κύπριοι
ἦλθον καὶ ἔδοτε αὐτοῖς τὰς δέκα ναῦς, καὶ τῶν 280
πελταστῶν τὴν μίσθωσιν καὶ τῶν ὀπλῶν τὴν
ὠνὴν παρέσχε τρισμυρίας δραχμάς. καὶ τούτων
κεφάλαιον πάντων γίγνεται μικροῦ λείποντος
44 πεντεκαίδεκα τάλαντα. ὥστε οὐκ ἂν εἰκότως
ἡμᾶς αἰτιάσαισθε, ἐπεὶ τῶν Κόνωνος, τῶν ὁμολο- 285
γούμενων δικαίως ἀποφανθῆναι ὑπ' αὐτοῦ ἐκείνου,
πολλαπλασίῳ δοκούντων εἶναι πλεον ἢ τρίτον
μέρος φαίνεται τὰ Ἀριστοφάνους. καὶ οὐ προσ-
λογιζόμεθα ὅσα αὐτὸς ἐν Κύπρῳ ἔσχε Νικόφημος,
οὔσης αὐτῷ ἐκεῖ γυναικὸς καὶ θυγατρὸς. 290

§ 8. *Aristophanes is not the first person whose property at his death turned out less than was expected. I can quote many others: Ischomachus, Stephanus, Cleophon, Diotimus, and Alcibiades. With such facts before you, be merciful to me. It is no disgrace to own that you were mistaken.*

Ἐγὼ μὲν οὐκ ἀξιῶ, ὦ ἄνδρες δικασταί, οὕτω 45
πολλὰ καὶ μεγάλα τεκμήρια παρασχομένους ἡμᾶς
ἀπολέσθαι ἀδίκως. ἀκήκοα γὰρ ἔγωγε καὶ τοῦ
πατρὸς καὶ ἄλλων πρεσβυτέρων, ὅτι οὐ νῦν
295 μόνον ἀλλὰ καὶ ἐν τῷ ἔμπροσθεν χρόνῳ πολλῶν
ἐψεύσθητε τῆς οὐσίας, καὶ ζῶντες μὲν πλουτεῖν
ἐδόκουν, ἀποθανόντες δὲ πολὺ παρὰ τὴν δόξαν
τὴν ὑμετέραν ἐφάνησαν. αὐτίκα Ἴσχομάχῳ, ἕως 46
ἕξῃ, πάντες ᾤοντο εἶναι πλεῖν ἢ ἐβδομήκοντα
300 τάλαντα, ὡς ἐγὼ ἀκούω· ἐνειμάσθην δὲ τῷ υἱέε
οὐδὲ δέκα τάλαντα ἐκάτερος ἀποθανόντος. Στε-
φάνῳ δὲ τῷ Θάλλου ἐλέγετο εἶναι πλεῖν ἢ
πεντήκοντα τάλαντα, ἀποθανόντος δ' ἡ οὐσία
ἐφάνη περὶ ἑνδεκα τάλαντα. ὁ τοίνυν Νικίου 47
305 οἶκος προσεδοκᾶτο εἶναι οὐκ ἔλαττον ἢ ἑκατὸν
ταλάντων, καὶ τούτων τὰ πολλὰ ἔνδον.¹¹ Νική-
ρατος δὲ ὅτ' ἀπέθνησκεν, ἀργύριον μὲν ἢ χρυσίον
οὐδ' αὐτὸς ἔφη καταλείπειν οὐδέν, ἀλλὰ τὴν
οὐσίαν ἣν κατέλιπε τῷ υἱεῖ, οὐ πλείονος ἀξία
310 ἐστὶν ἢ τεττάρων καὶ δέκα ταλάντων. Καλλίας 48
τοίνυν ὁ Ἰππονίκου, ὅτε νεωστὶ ἐτεθνήκει ὁ
πατήρ, πλείστα τῶν Ἑλλήνων ἐδόκει κεκτῆσθαι,
καὶ ὥς φησι, διακοσίων ταλάντων ἐτιμήσατο

¹¹ Post ἔνδον sequebatur ἦν. Scheide seclussit. Taylorus, alii, εἶναι voluerunt. Defendit ἦν Reiskius.

αὐτοῦ ὁ πάππος. τὸ τούτου τοίνυν¹² τίμημα οὐδὲ
 δυοῖν ταλάντοις ἐστί. Κλεοφῶντα δὲ πάντες 315
 ἴστε, ὅτι πολλὰ ἔτη διεχείρισε τὰ τῆς πόλεως
 πάντα καὶ προσεδοκᾶτο πάνυ πολλὰ ἐκ τῆς
 ἀρχῆς ἔχειν· ἀποθανόντος δ' αὐτοῦ οὐδαμοῦ δῆλα
 τὰ χρήματα, ἀλλὰ καὶ οἱ προσήκοντες καὶ οἱ
 κηδεσταί, παρ' οἷς κατέλιπεν, ὁμολογουμένως 320
 49 πένητές εἰσι. φαινόμεθα δὴ καὶ τῶν ἀρχαιοπλού-
 των πολὺ ἐψευσμένοι καὶ τῶν νεωστὶ ἐν δόξῃ
 γεγεννημένων. αἴτιον δέ μοι δοκεῖ εἶναι, ὅτι
 ῥαδίως τινὲς τολμῶσι λέγειν ὡς ὁ δεῖνα ἔχει
 τάλαντα πολλὰ ἐκ τῆς ἀρχῆς. καὶ ὅσα μὲν 325
 περὶ τεθνεώτων λέγουσιν, οὐ πάνυ θαυμάζω (οὐ
 γὰρ ὑπὸ γε ἐκείνων ἐξελεγχθεῖεν ἂν), ἀλλ' ὅσα
 50 ζώντων ἐπιχειροῦσι καταψεύδεσθαι. αὐτοὶ γὰρ
 ἕναγχος ἡκούετε ἐν τῇ ἐκκλησίᾳ, ὡς Διότιμος
 ἔχοι τάλαντα τετταράκοντα πλείω ἢ ὅσα αὐτὸς 330
 ὁμολόγει παρὰ τῶν ναυκλήρων καὶ ἐμπόρων·
 καὶ ταῦτα, ἐπειδὴ ἦλθεν, ἐκείνου ἀπογράφοντος
 καὶ χαλεπῶς φέροντος ὅτι ἀπὼν διεβάλλετο, οὐ-
 δεὶς ἐξήλεγξε, δεομένης μὲν τῆς πόλεως χρημάτων,
 51 ἐθέλοντος δὲ ἐκείνου λογίσασθαι. ἐνθυμείσθε 335
 τοίνυν οἶον ἂν ἐγένετο, εἰ Ἀθηναίων ἀπάντων
 ἀκηκοότων ὅτι τετταράκοντα τάλαντα ἔχοι Διότι-
 μος, εἴτα ἔπαθέ τι πρὶν καταπλεῦσαι δεῦρο.
 εἴτα οἱ προσήκοντες ἂν αὐτοῦ ἐν κινδύνῳ ἦσαν
 τῷ μεγίστῳ, εἰ ἔδει αὐτοὺς πρὸς τοσαύτην δια- 340
 βολὴν ἀπολογεῖσθαι, μὴ εἰδότας μηδὲν τῶν

¹² Scheide, ὁ πάππος τότε, τούτου τὸ νῦν κ.τ.λ. Si mutandum sit malim ποτέ, quando enim est τότε?

πεπραγμένων. αἵτιοι οὖν εἰσι καὶ ὑμῖν πολλῶν
 ἤδη ψευσθῆναι καὶ δὴ ἀδίκως γέ τινας ἀπολέσθαι
 οἱ ῥαδίως τολμῶντες ψεύδεσθαι καὶ συκοφαντεῖν
 345 ἀνθρώπους ἐπιθυμοῦντες. ἔπειτ' οἶομαι ὑμᾶς 52
 εἰδέναι ὅτι Ἀλκιβιάδης τέτταρα ἢ πέντε ἔτη
 ἐφεξῆς ἐστρατήγει ἐπικρατῶν καὶ νενικηκῶς
 Λακεδαιμονίους, καὶ διπλάσια ἐκείνῳ ἡξίουσιν αἱ
 πόλεις διδόναι ἢ ἄλλῳ τινὶ τῶν στρατηγῶν, ὥστ'
 350 φοντο εἶναι τινες αὐτῷ πλεόν ἢ ἑκατὸν τάλαντα.
 ὁ δ' ἀποθανὼν ἐδήλωσεν ὅτι οὐκ ἀληθῆ ταῦτα
 ἦν· ἐλάττω γὰρ οὐσίαν κατέλιπε τοῖς παισὶν ἢ
 αὐτὸς παρὰ τῶν ἐπιτροπευσάντων παρέλαβεν.

“Ὅτι μὲν οὖν καὶ ἐν τῷ ἔμπροσθεν χρόνῳ 53
 355 τοιαῦτα ἐγίγνετο, ῥάδιον γνῶναι· φασὶ δὲ καὶ
 τοὺς ἀρίστους καὶ σοφωτάτους μάλιστα ἐθέλειν
 μεταγιγνώσκειν. εἰ οὖν δοκοῦμεν εἰκότα λέγειν
 καὶ ἱκανὰ τεκμήρια παρέχεσθαι, ὦ ἄνδρες δικασ-
 ταί, πάσῃ τέχνῃ καὶ μηχανῇ ἐλεήσατε, ὥς ἡμεῖς
 360 τῆς μὲν διαβολῆς οὕτω μεγάλης οὔσης αἰεὶ προσ-
 εδοκῶμεν κρατήσῃν μετὰ τοῦ ἀληθοῦς· ὑμῶν δὲ
 μηδενὶ τρόπῳ ἐβελησάντων πεισθῆναι οὐδ' ἐλπίς
 οὐδεμία σωτηρίας ἐδόκει ἡμῖν εἶναι. ἀλλὰ πρὸς 54
 θεῶν Ὀλυμπίων, ὦ ἄνδρες δικασταί, βούλεσθε
 365 ἡμᾶς δικαίως σῶσαι μᾶλλον ἢ ἀδίκως ἀπολέσαι,
 καὶ πιστεύετε τούτοις ἀληθῆ λέγειν, οἳ ἂν καὶ
 σιωπῶντες ἐν ᾧπαντι τῷ βίῳ παρέχῃσι σῶφρονας
 σφᾶς αὐτοὺς καὶ δικαίους.

§ 9. *My character and that of my father should be my warrant. I am thirty, and never was in a law court*

before. *My father, from pure patriotism, not from the hope of recouping himself by office, spent no less than 9 talents 2000 drachmæ on the public service; and was ever liberal to his fellow-citizens in helping to portion their daughters and perform their funerals.*

- 55 Περὶ μὲν οὖν αὐτῆς τῆς γραφῆς, καὶ ᾧ τρόπῳ
κηδεσται ἡμῖν ἐγένοντο, καὶ ὅτι οὐκ ἐξήρκει τὰ 370
ἐκείνου εἰς τὸν ἔκπλουν, ἀλλὰ καὶ ὡς ἄλλοθεν
προσεδανείσατο ἀκηκόατε καὶ μεμαρτύρηται ὑμῖν·
περὶ δ' ἑμαυτοῦ βραχέα βούλομαι ὑμῖν εἰπεῖν.
ἐγὼ γὰρ ἔτη γεγυνώς ἤδη τριάκοντα οὔτε τῷ
πατρὶ οὐδὲν πώποτε ἀντεῖπον, οὔτε τῶν πολιτῶν 375
οὔδεις μοι ἐνεκάλεσεν, ἐγγύς τε οἰκῶν τῆς ἀγορᾶς
οὔδὲ πρὸς δικαστηρίῳ οὔδὲ πρὸς βουλευτηρίῳ
ᾧφθην οὔδεπώποτε, πρὶν ταύτην τὴν συμφορὰν
56 γενέσθαι. περὶ μὲν οὖν ἑμαυτοῦ τοσαῦτα λέγω,
περὶ δὲ τοῦ πατρός, ἐπειδὴ ὥσπερ ἀδικούντος αἰ 380
κατηγορίαι γεγέννηται, συγγνώμην ἔχετε, ἐὰν
λέγω ἃ ἀνήλωσεν εἰς τὴν πόλιν καὶ εἰς τοὺς
φίλους· οὐ γὰρ φιλοτιμίας ἔνεκεν ἀλλὰ τεκμήριον
ποιούμενος ὅτι οὐ τοῦ αὐτοῦ ἐστὶν ἀνδρὸς ἄνευ
ἀνάγκης τε πολλὰ ἀναλίσκειν καὶ μετὰ κινδύνου 385
τοῦ μεγίστου ἐπιθυμῆσαι ἔχειν τι τῶν κοινῶν.
- 57 εἰσὶ δέ τινες οἱ προαναλίσκοντες οὐ μόνον τούτου
ἔνεκεν, ἀλλ' ἵνα ἄρχειν ὑφ' ὑμῶν ἀξιωθέντες
διπλάσια κομίσωνται. ὁ τοίνυν ἐμὸς πατὴρ
ἄρχειν μὲν οὔδεπώποτε ἐπεθύμησε, τὰς δὲ χορη- 390
γίας ἀπάσας κεχορήγηκε, τετρηιράρχηκε δὲ ἐπτά-
κις, εἰσφορὰς δὲ πολλὰς καὶ μεγάλας εἰσενήνοχεν.
ἵνα δὲ εἰδῆτε καὶ ὑμεῖς, καὶ καθ' ἐκάστην ἀνα-
γνώσεται.

A LIST OF SERVICES PERFORMED BY DEFENDANT'S
FATHER.

395 Ἀκούετε, ὦ ἄνδρες δικασταί, τὸ πλῆθος. πεν- 58
τήκοντα γὰρ ἔτη ἐστὶν ὅσα ὁ πατήρ καὶ τοῖς
χρήμασι καὶ τῷ σώματι τῇ πόλει ἐλειτούργει.
ἐν οὖν τοσούτῳ χρόνῳ δοκοῦντά τι ἐξ ἀρχῆς
ἔχειν οὐδεμίαν εἰκὸς δαπάνην¹³ πεφευγῆναι.
400 ὁμως δὲ καὶ μάρτυρας ὑμῖν παρέξομαι.

WITNESSES AS TO THE LIBERAL MANNER IN WHICH
DEFENDANT'S FATHER PERFORMED HIS 'LITUR-
GIES.'

Τούτων συμπάντων κεφάλαιόν ἐστιν ἐννέα 59
τάλαντα καὶ δισχίλια δραχμαί. ἔτι τοίνυν καὶ
ἰδία τισὶ τῶν πολιτῶν ἀποροῦσι συνεξέδωκε
θυγατέρας καὶ ἀδελφάς, τοὺς δ' ἐλύσατο ἐκ τῶν
405 πολεμίων, τοῖς δ' εἰς ταφὴν παρείχεν ἀργύριον.
καὶ ταῦτ' ἐποίει ἡγούμενος εἶναι ἀνδρὸς ἀγαθοῦ
ὠφελεῖν τοὺς φίλους, καὶ εἰ μηδεὶς μέλλοι εἴσεσθαι
νῦν δὲ πρόπον ἐστὶ καὶ ὑμᾶς ἀκούσαί μου.* Καί
μοι κάλει τὸν καὶ τόν.

FURTHER WITNESSES TO THE LIBERALITY OF
DEFENDANT'S FATHER.

§ 10. *Now, a man could not keep up a hypocritical
pretence of liberality through a long life of seventy years.*

¹³ *Reiskius* voluit δίκην, sed de impensis sui patris non de
litibus agit orator.

* *W.* μαρτύρων.

Facts speak for themselves. He once had a large property. If you now confiscate it, you will find barely two talents; and on this small remnant I am at this moment serving a trierarchy, and intend to follow in my father's path of disinterested patriotism.

- 60 Τῶν μὲν οὖν μαρτύρων ἀκηκόατε· ἐνθυμεῖσθε 410
 δὲ ὅτι ὀλιγον μὲν χρόνον δύναιτ' ἂν τις πλάσασθαι
 τὸν τρόπον τὸν αὐτοῦ, ἐν ἑβδομήκοντα δὲ ἔτεσιν
 οὐδ' ἂν εἰς λάθοι πονηρὸς ὢν. τῷ τοίνυν πατρὶ
 τῷ ἐμῷ ἄλλα μὲν ἂν τις ἔχοι ἐπικαλέσαι ἴσως,
 εἰς χρήματα δὲ οὐδεὶς οὐδὲ τῶν ἐχθρῶν ἐτόλμησε 415
 61 πώποτε. οὐκουν ἄξιον τοῖς τῶν κατηγορῶν
 λόγοις πιστεῦσαι μᾶλλον ἢ τοῖς ἔργοις, ἃ ἐπράχθη
 ἐν ἅπαντι τῷ βίῳ, καὶ τῷ χρόνῳ, ὃν ὑμεῖς σαφέ-
 στατον ἔλεγχον τοῦ ἀληθοῦς νομίσατε. εἰ γὰρ
 μὴ ἦν τοιοῦτος, οὐκ ἂν ἐκ πολλῶν ὀλίγα κατέ- 420
 λιπεν, ἐπεὶ εἰ νῦν γε ἐξαπατηθείητε ὑπὸ τούτων
 καὶ δημεύσαιθ' ἡμῶν τὴν οὐσίαν, οὐδὲ δύο τάλαντα
 λάβοιτ' ἂν. ὥστε οὐ μόνον πρὸς δόξαν ἀλλὰ
 καὶ εἰς χρημάτων λόγον λυσιτελεῖ μᾶλλον ὑμῖν
 ἀποψηφίσασθαι· πολὺ γὰρ πλείω ὠφελήσεσθε, 425
 62 ἂν ἡμεῖς ἔχωμεν. σκοπεῖτε δὲ ἐκ τοῦ παρελη-
 λυθότος χρόνου, ὅσα φαίνεται ἀνηλωμένα εἰς τὴν
 πόλιν· καὶ νῦν ἀπὸ τῶν ὑπολοίπων τριηραρχῶ
 μὲν ἐγώ, τριηραρχῶν δὲ ὁ πατήρ ἀπέθανεν,
 πειράσομαι δ', ὥσπερ ἐκείνον ἐώρων, ὀλίγα κατὰ 430
 μικρὸν παρασκευάσασθαι εἰς τὰς κοινὰς ὠφελείας.
 ὥστε τῷ γ' ἔργῳ τῆς πόλεως¹⁴ ταῦτ' ἐστί, καὶ
 οὗτ' ἐγὼ ἀφηρημένος ἀδικεῖσθαι οἰήσομαι, ὑμῖν δὲ

¹⁴ τῆς πόλεως, vulgo πάλαι. Alii aliter correxerunt, πάλαι ὑμέτερα, πάλαι τῆς πόλεως, πάλαι ταῦτ' ἐστι κοινά. Francken vult ἔσται. W. πάλιν τῆς πόλεως ταῦτ' ἔσται.

πλείους οὕτως αἱ ὠφέλειαι ἢ εἰ δημεύσαιτε. πρὸς 63
 435 δὲ τούτοις ἄξιον ἐνθυμηθῆναι οἷαν φύσιν εἶχεν ὁ
 πατήρ. ὅσα γὰρ ἔξω τῶν ἀναγκαίων ἐπεθύμησεν
 ἀναλίσκειν, πάντα φανήσεται τοιαῦτα ὅθεν καὶ
 τῇ πόλει τιμὴ ἔμελλεν ἔσεσθαι. αὐτίκα ὅτε
 ἵππευεν, οὐ μόνον ἵππους ἐκτήσατο λαμπροὺς
 440 ἀλλὰ καὶ ἀθλητάς, οἷς ἐνίκησεν Ἴσθμοῖ καὶ
 Νεμέᾳ, ὥστε τὴν πόλιν κηρυχθῆναι καὶ αὐτὸν
 στεφανωθῆναι. δέομαι οὖν ὑμῶν, ὦ ἄνδρες 64
 δικασταί, καὶ τούτων καὶ τῶν ἄλλων μεμνημένους
 ἀπάντων τῶν εἰρημένων βοηθεῖν ἡμῖν καὶ μὴ
 445 περιδεῖν ὑπὸ τῶν ἐχθρῶν ἀναιρεθέντας. καὶ
 ταῦτα ποιοῦντες τά τε δίκαια ψηφιεῖσθε καὶ
 ὑμῖν αὐτοῖς τὰ συμφέροντα.

ORATION XI. [22.]

FOR THE PROSECUTION. AGAINST THE CORN
 DEALERS FOR 'ENGROSSING.'

§ 1. *Though the prosecution of 'engrossers' in corn is legal, yet there is a certain prejudice against the promoter. I must first show that I do not act from spite. Originally the Boulè wished to deliver these men without trial to the Eleven for execution. I then spoke against that course, and advised that the ordinary form of trial should be used. I incurred odium for that, and I now wish to show that I was acting not from favour to the dealers but for the sake of legality.*

Πολλοί μοι προσεληλύθασιν, ὦ ἄνδρες δικα-

σταί, θαυμάζοντες ὅτι ἐγὼ τῶν σιτοπωλῶν ἐν τῇ
 βουλῇ κατηγοροῦν, καὶ λέγοντες ὅτι ὑμεῖς, εἰ ὡς
 μάλιστα αὐτοὺς ἀδικεῖν ἠγεῖσθε, οὐδὲν ἡττον καὶ
 τοὺς περὶ τούτων ποιουμένους λόγους συκοφαντεῖν 5
 νομίζετε. ὅθεν οὖν ἠνάγκασμαι κατηγορεῖν αὐτῶν,
 περὶ τούτων πρῶτον εἰπεῖν βούλομαι.

- 2 Ἐπειδὴ γὰρ οἱ πρυτάνεις ἀπέδοσαν εἰς τὴν
 βουλήν περὶ αὐτῶν, οὕτως ὠργίσθησαν αὐτοῖς,
 ὥστε ἔλεγόν τινες τῶν ῥητόρων ὡς ἀκρίτους 10
 αὐτοὺς χρή τοῖς ἔνδεκα παραδοῦναι θανάτῳ
 ζημιῶσαι. ἠγούμενος δὲ ἐγὼ δεινὸν εἶναι τοιαῦτα
 ἐθίζεσθαι ποιεῖν τὴν βουλήν, ἀναστὰς εἶπον ὅτι
 μοι δοκοῖη κρίνειν τοὺς σιτοπώλας κατὰ τὸν
 νόμον, νομίζων, εἰ μὲν εἰσιν ἄξια θανάτου εἰργασ- 15
 μένοι, ὑμᾶς οὐδὲν ἡττον ἡμῶν γνώσεσθαι τὰ
 δίκαια, εἰ δὲ μηδὲν ἀδικοῦσιν, οὐ δεῖν αὐτοὺς
 3 ἀκρίτους* ἀπολωλέναι. πεισθείσης δὲ τῆς βουλῆς
 ταῦτα, διαβάλλειν ἐπεχείρουν με λέγοντες ὡς
 ἐγὼ σωτηρίας ἕνεκα τῆς τῶν σιτοπωλῶν τοὺς 20
 λόγους τούτους ἐποιούμην. πρὸς μὲν οὖν τὴν
 βουλήν, ὅτ' ἦν αὐτοῖς ἡ κρίσις, ἔργῳ ἀπελογη-
 σάμην· τῶν γὰρ ἄλλων ἡσυχίαν ἀγόντων ἀναστὰς
 αὐτῶν κατηγοροῦν, καὶ πᾶσι φανερόν ἐποίησα
 ὅτι οὐχ ὑπὲρ τούτων ἔλεγον, ἀλλὰ τοῖς νόμοις 25
 4 τοῖς κειμένοις ἐβοήθουν. ἠρξάμην μὲν οὖν τού-
 των ἕνεκα, δεδιὼς τὰς αἰτίας· αἰσχροὺν δ' ἠγοῦμαι
 πρότερον παύσασθαι, πρὶν ἂν ὑμεῖς περὶ αὐτῶν
 ὅ τι ἂν βούλησθε ψηφίσησθε.

§ 2. First, I will show by an examination of the

* Rōhl ἀδίκως.

dealers that they have broken the law in buying up above the legal quantity of corn. They plead that they were acting under the orders of the corn-inspectors. That is no defence to the charge, unless the law contains a clause giving the inspectors such dispensing power. But I will prove that the plea is false. The only advice they got from an inspector was to cease bidding against each other, and to be content with the legal profit.

- 30 Καὶ πρῶτον μὲν ἀνάβηθι καὶ εἰπὲ σὺ ἐμοί, 5
μέτοικος εἶ; Ναί. Μετοικεῖς δὲ πότερον ὡς
πεισόμενος τοῖς νόμοις τοῖς τῆς πόλεως, ἢ ὡς
ποιήσων ὃ τι ἂν βούλῃ; Ὡς πεισόμενος. Ἄλλο
τι οὖν ἢ ἀξιοῖς ἀποθανεῖν, εἴ τι πεποίηκας παρὰ
35 τοὺς νόμους, ἐφ' οἷς θάνατος ἢ ζημία; Ἐγώ γε.
Ἀπόκριναι δὴ μοι, εἰ ὁμολογεῖς πλεῖω σίτου
συμπρίασθαι πεντήκοντα φορμῶν, ὧν ὁ νόμος
ἐξεῖναι κελεύει. Ἐγὼ τῶν ἀρχόντων κελευόντων
συνεπριάμην.
- 40 Ἄν μὲν τοίνυν ἀποδείξῃ, ὧ ἄνδρες δικασταί, 6
ὡς ἔστι νόμος ὃς κελεύει τοὺς σιτοπώλας συνω-
νεῖσθαι τὸν σῖτον, ἂν οἱ ἄρχοντες κελεύωσιν,
ἀποψηφίσασθε· εἰ δὲ μή, δίκαιον ὑμᾶς κατα-
ψηφίσασθαι. ἡμεῖς γὰρ ὑμῖν παρεσχόμεθα τὸν
45 νόμον, ὃς ἀπαγορεύει μηδένα τῶν ἐν τῇ πόλει
πλεῖω σίτου πεντήκοντα φορμῶν συνωνεῖσθαι.

Χρῆν μὲν τοίνυν, ὧ ἄνδρες δικασταί, ἱκανὴν 7
εἶναι ταύτην τὴν κατηγορίαν, ἐπειδὴ οὗτος μὲν
ὁμολογεῖ συμπρίασθαι ὃ δὲ νόμος ἀπαγορεύων
50 φαίνεται, ὑμεῖς δὲ κατὰ τοὺς νόμους ὁμωμόκατε
ψηφιεῖσθαι· ὅμως δ' ἵνα πεισθῇτε ὅτι καὶ κατὰ
τῶν ἀρχόντων ψεύδονται, ἀνάγκη καὶ μακρότερον

8 εἰπεῖν περὶ αὐτῶν. ἐπειδὴ γὰρ οὗτοι τὴν αἰτίαν
 εἰς ἐκείνους ἀνέφερον, παρακαλέσαντες τοὺς ἄρ-
 χοντας ἠρωτῶμεν. καὶ οἱ μὲν τέσσαρες οὐδὲν 55
 ἔφασαν εἰδέναι τοῦ πράγματος, Ἄνυτος δ' ἔλεγεν
 ὡς τοῦ προτέρου χειμῶνος, ἐπειδὴ τίμιος ἦν ὁ
 σῖτος, τούτων ὑπερβαλλόντων ἀλλήλους καὶ πρὸς
 σφᾶς αὐτοὺς μαχομένων συμβουλευσείεν αὐτοῖς
 παύσασθαι φιλονεικοῦσιν, ἡγούμενος συμφέρειν 60
 ὑμῖν τοῖς παρὰ τούτων ὠνουμένοις ὡς ἀξιώτατον
 τούτους πρίασθαι· δεῖν γὰρ αὐτοὺς ὀβολῷ μόνον
 9 πωλεῖν τιμιώτερον. ὡς τοίνυν οὐ συμπριαμένους
 καταθέσθαι ἐκέλευεν αὐτούς, ἀλλὰ μὴ ἀλλήλοις
 ἀντωνεῖσθαι συνεβούλευεν, αὐτὸν ὑμῖν Ἄνυτον 65
 μάρτυρα παρέξομαι, καὶ ὡς οὗτος μὲν ἐπὶ τῆς
 προτέρας βουλῆς τούτους εἶπε τοὺς λόγους, οὗτοι
 δ' ἐπὶ τῇσδε¹ συνωνούμενοι φαίνονται.

DEPOSITION OF ANYTUS THAT HE DID NOT ADVISE
 THE CORN DEALERS TO ACCUMULATE CORN.

10 "Ὅτι μὲν τοίνυν οὐχ ὑπὸ τῶν ἀρχόντων κελευσ-
 θέντες συνεπρίαντο τὸν σῖτον, ἀκηκόατε· ἡγοῦμαι 70
 δ', ἂν ὡς μάλιστα περὶ τούτων ἀληθῆ λέγωσιν,
 οὐχ ὑπὲρ αὐτῶν αὐτοὺς ἀπολογήσεσθαι, ἀλλὰ
 τούτων κατηγορήσειν· περὶ γὰρ ὧν εἰσι νόμοι
 διαρρήδην γεγραμμένοι, πῶς οὐ χρή διδόναι δίκην
 καὶ τοὺς μὴ πειθομένους καὶ τοὺς κελεύοντας 75
 τούτοις τὰναντία πράττειν ;

¹ ἐπὶ τῇσδε. MSS. ἐπίτηδες. W. ἐτι τῇτες.

§ 3. *They will plead that they acted for your benefit in amassing corn that they might sell it cheap. This is false, for they often varied the selling price as much as a drachma in a day.*

Ἄλλὰ γάρ, ὦ ἄνδρες δικασταί, οἶομαι αὐτοὺς 11
ἐπὶ μὲν τοῦτον τὸν λόγον οὐκ ἐλεύσεσθαι.* ἴσως
δ' ἐροῦσιν, ὥσπερ καὶ ἐν τῇ βουλῇ, ὡς ἐπ' εὐνοια
80 τῆς πόλεως συνεωνοῦντο τὸν σῖτον, ἵν' ὡς ἀξιώ-
τατον ἡμῖν πωλοῖεν. μέγιστον δ' ὑμῖν ἐρῶ καὶ
περιφανέστατον τεκμήριον ὅτι ψεύδονται. ἐχρῆν 12
γὰρ αὐτούς, εἴπερ ὑμῶν ἕνεκα ἔπραττον ταῦτα,
φαίνεσθαι τῆς αὐτῆς τιμῆς πολλὰς ἡμέρας πω-
85 λούντας, ἕως ὃ συνεωνημένος αὐτοὺς ἐπέλιπε·
νυνὶ δ' ἐνίστε τῆς αὐτῆς ἡμέρας ἐπώλουν δραχμῇ
τιμιώτερον, ὥσπερ κατὰ μέδιμνον συνωνόμενοι.
καὶ τούτων ὑμῖν μάρτυρας παρέξομαι.

EVIDENCE TO SHOW THAT THE CORN DEALERS HAVE
VARIED THE PRICE OF THEIR STORED CORN.

§ 4. *Is it likely that men, who, when State contributions are wanted, plead poverty, should, entirely for your profit, risk death by an infraction of a law? Indeed public disasters benefit them by making corn dearer. And the city is reduced by them in time of peace almost to a state of siege as regards provisions. This is why corn inspectors are appointed.*

Δεινὸν δέ μοι δοκεῖ εἶναι, εἰ ὅταν μὲν εἰσφορὰν 13
90 εἰσενεγκεῖν δέῃ, ἣν πάντες εἴσεσθαι μέλλουσιν,
οὐκ ἐθέλουσιν, ἀλλὰ πενίαν προφασίζονται, ἐφ'
οἷς δὲ θάνατός ἐστιν ἡ ζημία καὶ λαθεῖν αὐτοῖς

* *Coß.* τρέψεσθαι. *W.* ἐπὶ τούτῳ . . ἐλεήσεσθαι.

συνέφερε, ταῦτα ἐπ' εὐνοίᾳ φασὶ τῇ ὑμετέρα
 παρανομήσαι. καίτοι πάντες ἐπίστασθε ὅτι
 τούτοις ἥκιστα προσήκει τοιούτους ποιεῖσθαι 95
 λόγους. τὰναντία γὰρ αὐτοῖς καὶ τοῖς ἄλλοις
 συμφέρει· τότε γὰρ πλείστα κερδαίνουσιν, ὅταν
 κακοῦ τινος ἀπαγγελθέντος τῇ πόλει τίμιον τὸν
 14 σῖτον πωλῶσιν. οὕτω δ' ἄσμενοι τὰς συμφορὰς
 τὰς ὑμετέρας ὀρώσιν, ὥστε τας μὲν πρότεροι τῶν 100
 ἄλλων πυνθάνονται, τὰς δ' αὐτοὶ λογοποιοῦσιν,
 ἢ τὰς ναῦς διεφθάρθαι τὰς ἐν τῷ Πόντῳ, ἢ
 ὑπὸ Λακεδαιμονίων ἐκπλεούσας συνειληφθαι, ἢ
 τὰ ἐμπόρια κεκλείσθαι, ἢ τὰς σπονδὰς μέλλειν
 ἀπορρηθήσεσθαι, καὶ εἰς τοῦτ' ἔχθρας ἐληλύθασιν, 105
 15 ὥστ' ἐν τούτοις τοῖς καιροῖς ἐπιβουλεύουσιν ἡμῖν,
 ἐν οἷσπερ οἱ πολέμιοι. ὅταν γὰρ μάλιστα σίτου
 τυγχάνητε δεόμενοι, ἀναρπάζουσιν οὗτοι καὶ οὐκ
 ἐθέλουσι πωλεῖν, ἵνα μὴ περὶ τῆς τιμῆς διαφερώ-
 μεθα, ἀλλ' ἀγαπῶμεν ἂν ὅποσουτινοσοῦν πριά- 110
 μενοι παρ' αὐτῶν ἀπέλθωμεν· ὥστ' ἐνίοτε εἰρήνης
 16 οὔσης ὑπὸ τούτων πολιορκούμεθα. οὕτω δὲ
 πάλαι περὶ τῆς τούτων πανουργίας καὶ κακονοίας
 ἡ πόλις ἔγνωκεν, ὥστ' ἐπὶ μὲν τοῖς ἄλλοις ὠνίοις
 ἅπασι τοὺς ἀγορανόμους φύλακας κατεστήσατε, 115
 ἐπὶ δὲ ταύτῃ μόνῃ τῇ τέχνῃ χωρὶς σιτοφύλακας
 ἀποκληροῦτε.² καὶ πολλάκις ἤδη παρ' ἐκείνων
 πολιτῶν ὄντων δίκην τὴν μεγίστην ἐλάβετε, ὅτι
 οὐχ οἷοί τ' ἦσαν τῆς τούτων πονηρίας ἐπικρατῆσαι.
 καίτοι τί χρὴ αὐτοὺς τοὺς ἀδικούντας ὑφ' ὑμῶν 120
 πάσχειν, ὅποτε καὶ τοὺς οὐ δυναμένους φυλάττειν
 ἀποκτείνετε;

² Scheide, Markland, ἀπεκληροῦτε sed 'agitur de consuetudine.' Francken.

§ 5. *If there were a conflict of testimony, you might acquit them; but now you have their own confession. Condemn them as a warning to others. Remember that the practice is so profitable as to tempt many to risk the penalties. More worthy of your pity are the people they helped to starve, the merchants against whom they combined, and the inspectors who have before now suffered death for not being able to prevent their practices.*

Ἐνθυμείσθαι δὲ χρή ὅτι ἀδύνατον ὑμῖν ἐστὶν
ἀποψηφίσασθαι. εἰ γὰρ ἀπογνώσεσθε ὁμολο-
125 γούντων αὐτῶν ἐπὶ τοὺς ἐμπόρους συνίστασθαι,
δόξεθ' ὑμεῖς ἐπιβουλεύειν τοῖς εἰσπλέουσιν. εἰ
μὲν γὰρ ἄλλην τινὰ ἀπολογίαν ἐποιοῦντο, οὐδεὶς
ἂν εἶχε τοῖς ἀποψηφισαμένοις ἐπιτιμᾶν· ἐφ'
ὑμῖν γὰρ ὅποτέροις βούλεσθε πιστεύειν· νῦν δὲ
130 πῶς οὐ δεινὰ ἂν δόξαιτε ποιεῖν, εἰ τοὺς ὁμολο-
γούντας παρανομεῖν ἀζημίους ἀφήσετε; ἀνα-
μνήσθητε δέ, ὦ ἄνδρες δικασταί, ὅτι πολλῶν ἤδη
ἐχόντων ταύτην τὴν αἰτίαν³ καὶ μάρτυρας παρε-
χομένων θάνατον κατέγνωτε, πιστοτέρους ἡγησά-
135 μενοι τοὺς τῶν κατηγορῶν λόγους. καίτοι πῶς
ἂν οὐ θαυμαστὸν εἴη, εἰ περὶ τῶν αὐτῶν ἁμαρτη-
μάτων δικάζοντες μᾶλλον ἐπεθυμεῖτε παρὰ τῶν
ἀρνούμενων δίκην λαμβάνειν; Καὶ μὲν δὴ, ὦ
ἄνδρες δικασταί, πᾶσιν ἡγοῦμαι φανερόν εἶναι
140 ὅτι οἱ περὶ τῶν τοιούτων ἀγῶνες κοινότατα
τυγχάνουσιν ὄντες τοῖς ἐν τῇ πόλει, ὥστε πεύσσοι-
ται ἥντινα γνώμην περὶ αὐτῶν ἔχετε, ἡγούμενα
ἂν μὲν θάνατον τούτων καταγνώτε, κοσμιωτέροι

³ λαμβάνειν ejeci cum Cobeto, Sauppe, aliis. Dobr. νῦν καὶ ἀρνούμενων καὶ. Kayser λανθάνειν δὲ πειρωμένων. Weidn. τοῦ μὴ δίκην λαμβάνειν. Weidn. ἀλλ' ἀρνούμενων.

- ἔσεσθαι τοὺς λοιπούς· ἂν δ' ἄζημίους ἀφῆτε,
 πολλὴν ἄδειαν αὐτοῖς ἐψηφισμένοι ἔσεσθε ποιεῖν 145
 20 ὃ τι ἂν βούλωνται. χρὴ δέ, ὦ ἄνδρες δικασταί,
 μὴ μόνον τῶν παρεληλυθότων ἕνεκα αὐτοὺς
 κολάζειν, ἀλλὰ καὶ παραδείγματος ἕνεκα τῶν
 μελλόντων ἔσεσθαι· οὕτω γὰρ ἔσονται μόγις
 ἀνεκτοί. ἐνθυμεῖσθε δὲ ὅτι ἐκ ταύτης τῆς τέχνης 150
 πλείστοι περὶ τοῦ σώματός εἰσιν ἡγωνισμένοι·
 καὶ οὕτω μεγάλα ἐξ αὐτῆς ὠφελοῦνται, ὥστε
 μᾶλλον αἰροῦνται καθ' ἐκάστην ἡμέραν περὶ τῆς
 ψυχῆς κινδυνεύειν ἢ παύσασθαι παρ' ὑμῶν
 21 ἀδίκως κερδαίνοντες. καὶ μὲν δὴ οὐδ' ἂν ἀντιβο- 155
 λῶσιν ὑμᾶς καὶ ἰκετεύωσι, δικαίως ἂν αὐτοὺς
 ἐλεήσαιτε, ἀλλὰ πολὺ μᾶλλον τῶν τε πολιτῶν
 οἱ διὰ τὴν τούτων πονηρίαν ἀπέθνησκον, καὶ τοὺς
 ἐμπόρους ἐφ' οὓς οὗτοι συνέστησαν· οἷς ὑμεῖς
 χαριεῖσθε καὶ προθυμοτέρους ποιήσετε, δίκην 160
 παρὰ τούτων⁴ λαμβάνοντες. εἰ δὲ μή, τιν' αὐτοὺς
 οἴεσθε γνώμην ἔξειν, ἐπειδὰν πύθωνται ὅτι τῶν
 καπήλων, οἱ τοῖς εἰσπλέουσιν ὠμολόγησαν ἐπι-
 βουλεύειν, ἀπεψηφίσασθε ;
 22 Οὐκ οἶδ' ὃ τι δεῖ πλείω λέγειν· περὶ μὲν γὰρ 165
 τῶν ἄλλων τῶν ἀδικούντων, ὅτου δικάζονται, δεῖ
 παρὰ τῶν κατηγορῶν πυθέσθαι, τὴν δὲ τούτων
 πονηρίαν ἅπαντες ἐπίστασθε. ἂν οὖν τούτων
 καταψηφίσησθε, τά τε δίκαια ποιήσετε καὶ ἀξιό-
 τερον τὸν σῖτον ὠνήσεσθε· εἰ δὲ μή, τιμιώτερον. 170

⁴ τούτων *Tayl. Dobr. Francken* pro αὐτῶν.

ORATION XII. [23.]

FOR THE PROSECUTION. ANSWER TO A DEMURRER
OF PANCLEON'S, THAT A SUIT AGAINST HIM
COULD NOT COME BEFORE THE POLEMARCH.

§ 1. *Few words will suffice. I prosecuted Panceleon for an injury he had done me. I believed him to be an alien, and therefore brought the suit before the Polemarch. He demurred that as a Plataean, attached to the Deme Deceleia, he had the rights of a citizen. I found this to be untrue, and that he had been already sued before the Polemarch. I will call Deceleians to show him to be no Deceleian, and his former prosecutors to show that he was sued before the Polemarch.*

Πολλὰ μὲν λέγειν, ὧ ἄνδρες δικασταί, περὶ
τουτουὶ τοῦ πράγματος οὔτ' ἂν δυναίμην οὔτε
μοι δοκεῖ δεῖν· ὥς δὲ ὀρθῶς τὴν δίκην ἔλαχον
τουτῷ Παγκλέωνι οὐκ ὄντι Πλαταιεῖ, τοῦτο ὑμῖν
5 πειράσομαι ἀποδείξαι.

Ὡς γὰρ ἀδικῶν με πολὺν χρόνον οὐκ ἐπαύετο, 2
ἐλθὼν ἐπὶ τὸ γναφεῖον, ἐν ᾧ εἰργάζετο, προσε-
καλεσάμην αὐτὸν πρὸς τὸν πολέμαρχον, νομίζων
μέτοικον εἶναι. εἰπόντος δὲ τούτου ὅτι Πλαταιεὺς
10 εἶη, ἡρόμην ὁπόθεν δημοτεύοιτο, παραινέσαντός
τινος τῶν παρόντων προσκαλέσασθαι καὶ πρὸς
τὴν φυλὴν, ἧς τινος εἶναι σκήπτοιτο. ἐπειδὴ δὲ
ἀπεκρίνατο ὅτι Δεκελειόθεν, προσκαλεσάμενος
αὐτὸν καὶ πρὸς τοὺς τῇ Ἰπποθωντίδι δικάζοντας,
15 ἐλθὼν ἐπὶ τὸ κουρεῖον τὸ παρὰ τοὺς Ἑρμᾶς, ἵνα 3
οἱ Δεκελεῖς προσφοιτῶσιν, ἡρώτων,¹ οὓς τε ἐξευρί-

¹ ἡρώτων abesse vult Francken; mihi sanum videtur.

- σκοιμι Δεκελέων ἐπυνθανόμην εἴ τινα γινώσκοιεν
 Δεκελειόθεν δημοτευόμενον Παγκλέωνα. ἐπειδὴ
 δὲ οὐδεὶς ἔφασκεν γινώσκειν αὐτόν, πυθόμενος
 ὅτι καὶ ἑτέρας δίκας τὰς μὲν φεύγοι τὰς δ' 20
 ὠφλήκοι παρὰ τῷ πολεμάρχῳ, ἔλαχον καὶ ἐγώ.
- 4 Πρῶτον μὲν οὖν ὑμῖν Δεκελέων οὓς ἡρόμην
 μάρτυρας παρέξομαι, ἔπειτα δὲ καὶ τῶν ἄλλων
 τῶν λαχόντων τε δίκας αὐτῷ πρὸς τὸν πολέ-
 μαρχον καὶ καταδικασαμένων, ὅσοι τυγχάνουσι 25
 παρόντες. Καί μοι ἐπίλαβε τὸ ὕδωρ.

EVIDENCE OF CERTAIN DECELEIANS THAT PANCLEON
 IS NOT A DECELEIAN ; AND OF CERTAIN PERSONS
 WHO HAD BROUGHT SUITS AGAINST HIM BEFORE
 THE POLEMARCH.

§ 2. Accordingly I sued him before the Polemarch.
 He demurred as above. I asked many Plataeans ; none
 knew him, but one Nikomedes claimed him as a runaway
 slave, whose description exactly tallied with what I knew
 of Panceleon. I will call this man.

- 5 Ἐκ μὲν τούτων πεισθεὶς πρὸς τὸν πολέμαρχον
 αὐτῷ τὴν δίκην ἔλαχον· ἐπειδὴ δέ μοι αὐτὴν
 ἀντεγράψατο μὴ εἰσαγώγιμον εἶναι, περὶ πολλοῦ
 ποιούμενος μηδενὶ δόξαι ὑβρίζειν βούλεσθαι 30
 μᾶλλον ἢ δίκην λαβεῖν ὧν ἡδικήθην, πρῶτον μὲν
 Εὐθύκριτον, ὃν πρεσβύτατόν τε Πλαταιέων ἐγίγ-
 νωσκον καὶ μάλιστα φόβμην εἶδέναι, ἡρόμην εἴ
 τινα γινώσκοι Ἴππαρμοδώρου υἱὸν Παγκλέωνα
 6 Πλαταιέα· ἔπειτα δέ, ἐπειδὴ ἐκεῖνος ἀπεκρίνατό 35

μοι ὅτι τὸν Ἰππαρμόδωρον μὲν γινώσκει, υἱὸν δὲ
 ἐκείνῳ οὐδένα οὔτε Παγκλέωνα οὔτε ἄλλον οὐδένα
 εἰδείη ὄντα, ἡρώτων δὴ καὶ τῶν ἄλλων ὅσους
 ᾔδειν Πλαταιέας ὄντας. πάντες οὖν ἀγνοοῦντες
 40 τὸ ὄνομα αὐτοῦ, ἀκριβέστατα ἂν ἔφασάν με
 πυθέσθαι ἐλθόντα εἰς τὸν χλωρὸν τυρὸν τῇ ἔνῃ
 καὶ νέᾳ· ταύτῃ γὰρ τῇ ἡμέρᾳ τοῦ μηνὸς ἐκάστου
 ἐκείσε συλλέγεσθαι τοὺς Πλαταιέας. ἐλθὼν οὖν 7
 εἰς τὸν τυρὸν ταύτῃ τῇ ἡμέρᾳ ἐπυνθανόμην αὐτῶν,
 45 εἴ τινα γινώσκουσιν Παγκλέωνα πολίτην σφέτερον.
 καὶ οἱ μὲν ἄλλοι οὐκ ἔφασαν γινώσκειν, εἰς δὲ
 τις εἶπεν ὅτι τῶν μὲν πολιτῶν οὐδενὶ εἰδείη τοῦτο
 ὃν τὸ ὄνομα, δοῦλον μέντοι ἔφη ἑαυτοῦ ἀφεστῶτα
 εἶναι Παγκλέωνα, τὴν τε ἡλικίαν λέγων τὴν τού-
 50 του καὶ τὴν τέχνην ἣ οὗτος χρῆται. Ταῦτ' οὖν 8
 ὥς ἀληθὴ ἐστὶ, τὸν τε Εὐθύκριτον, ὃν πρῶτον
 ἠρόμην, καὶ τῶν ἄλλων Πλαταιέων ὅσοις προσ-
 ἦλθον, καὶ τὸν ὃς ἔφη δεσπότης τούτου εἶναι,
 μάρτυρας παρέξομαι. Καὶ μοι ἐπίλαβε τὸ ὕδωρ.

EVIDENCE OF EUTHYKRITUS AND OF CERTAIN PLATAEANS.

§ 3. *Some days afterwards he was actually arrested by Nikomedes as his slave, but rescued by some men who gave bail for his appearance, on the plea that they would produce his brother to prove his freedom. Next day no brother appeared, but a woman did appear, claiming him as her slave. His friends would not stay the trial, but forcibly took him away. You see, he did not venture to stand the test.*

9 Ἡμέραις τοίνυν μετὰ ταῦτα οὐ πολλαῖς 55
 ὕστερον ἰδὼν ἀγόμενον τουτονὶ Παγκλέωνα ὑπὸ
 Νικομήδους, ὃς ἐμαρτύρησεν αὐτοῦ δεσπότης
 εἶναι, προσῆλθον βουλόμενος εἰδέναι ὁποῖόν τι
 περὶ αὐτοῦ πραχθήσοιτο. τότε μὲν οὖν ἐπειδὴ
 ἐπαύσαντο μαχόμενοι, εἰπόν τινες τῶν τούτῳ 60
 παρόντων ὅτι εἴη αὐτῷ ἀδελφὸς ὃς ἐξαιρήσοιτο
 αὐτὸν εἰς ἐλευθερίαν· ἐπὶ τούτοις ἐγγυησάμενοι
 10 παρέξειν εἰς ἀγορὰν² ᾧχοντο ἀπιόντες. τῇ δ'
 ὕστεραία τῆς τε ἀντιγραφῆς ἕνεκα ταυτησί καὶ
 αὐτῆς τῆς δίκης ἔδοξέ μοι χρῆναι μάρτυρας 65
 λαβόντι παραγενέσθαι, ἵν' εἰδείην τὸν τ' ἐξαιρη-
 σόμενον αὐτὸν καὶ ὃ τι λέγων ἀφαιρήσοιτο. ἐφ'
 οἷς μὲν οὖν ἐξηγγυήθη, οὔτε ἀδελφὸς οὔτε ἄλλος
 οὐδεὶς ἦλθε, γυνὴ δὲ φάσκουσα αὐτῆς αὐτὸν
 εἶναι δοῦλον, ἀμφισβητοῦσα τῷ Νικομήδει, καὶ 70
 11 οὐκ ἔφη εἰσείναι αὐτὸν ἄγειν. ὅσα μὲν οὖν αὐτόθι
 ἐρρήθη, πολὺς ἂν εἴη μοι λόγος διηγείσθαι· εἰς
 τοῦτο δὲ βιαιότητος ἦλθον οἳ τε παρόντες τούτῳ
 καὶ αὐτὸς οὗτος, ὥστε ἐθέλοντος μὲν τοῦ Νικο-
 μήδους ἐθελούσης δὲ τῆς γυναικὸς ἀφιέναι, εἴ τις 75
 ἢ εἰς ἐλευθερίαν τοῦτον ἐξαιροῖτο³ ἢ ἄγοι φάσκων
 ἑαυτοῦ δοῦλον εἶναι, τούτων οὐδὲν ποιήσαντες
 ἀφελόμενοι ᾧχοντο. Ὡς οὖν τῇ τε προτεραίᾳ
 ἐπὶ τούτοις ἐξηγγυήθη καὶ τότε βία ᾧχοντο
 ἀφελόμενοι αὐτόν, μάρτυρας παρέξομαι ὑμῖν. 80
 Καὶ μοι ἐπίλαβε τὸ ὕδωρ.

² Al. εἰς αὐρίον quod verum puto.

³ ἐξαιροῖτο *Scheide*. MSS. ἀγοι ἢ φάσκων. Sed εἰς ἐλευθερίαν
 ἀγειν non dicitur. Cf. supra, § 9.

EVIDENCE OF CERTAIN PERSONS AS TO THE PROCEEDINGS ON PANCLEON BEING CLAIMED AS A SLAVE.

§ 4. Besides, in the action Aristodikos brought against him, though he demurred to the suit being before the Polemarch, yet he did not venture to prosecute for perjury the witness who denied his being a Plataean. To conclude, he eventually took refuge in Thebes,—the last place to which a Plataean would go.

Ῥάδιον τοίνυν εἰδέναι ὅτι οὐδ' αὐτὸς Παγκλέων 12
νομίζει ἑαυτὸν μὴ ὅτι Πλαταιέα εἶναι, ἀλλ' οὐδ'
ἐλεύθερον. ὅστις γὰρ ἐβουλήθη βία ἀφαιρεθεὶς
85 ἐνόχους καταστήσαι τοὺς ἑαυτοῦ ἐπιτηδεύουσιν τοῖς
βίαιοις μᾶλλον ἢ κατὰ τοὺς νόμους εἰς τὴν
ἐλευθερίαν ἐξαيرهθεὶς δίκην λαβεῖν παρὰ τῶν
ἀγόντων αὐτόν, οὐδενὶ χαλεπὸν γνῶναι ὅτι εὖ
εἰδὼς ἑαυτὸν ὄντα δοῦλον ἔδεισεν ἐγγυητὰς κατα-
90 στήσας περὶ τοῦ σώματος ἀγωνίσασθαι.

Ὅτι μὲν οὖν Πλαταιεὺς εἶναι πολλοῦ δεῖ, 13
οἶμαι ὑμᾶς ἐκ τούτων σχεδὸν τι γινώσκειν· ὅτι
δὲ οὐδ' οὗτος, ὃς ἄριστα οἶδε τὰ αὐτοῦ, ἡγήσατο
δόξαι ἂν ὑμῖν Πλαταιεὺς εἶναι, ἐξ ὧν ἔπραξε
95 ῥαδίως μαθήσεσθε. ἐν τῇ ἀντωμοσίᾳ γὰρ τῆς
δίκης ἦν αὐτῷ ἔλαχεν Ἀριστόδικος οὐτοσί,
ἀμφισβητῶν μὴ πρὸς τὸν πολέμαρχον εἶναι οἱ
τὰς δίκας διεμαρτυρήθη μὴ Πλαταιεὺς εἶναι, 14
ἐπισκηψάμενος δὲ τῷ μάρτυρι οὐκ ἐπεξήλθεν,
100 ἀλλ' εἶασε καταδικάσασθαι αὐτοῦ τὸν Ἀριστό-
δικον. ἐπειδὴ δὲ ὑπερήμερος ἐγένετο, ἐξέτισε τὴν
δίκην, καθότι ἔπειθε. καὶ τούτων, ὡς ἀληθῆ

ἐστι, μάρτυρας ἐγὼ παρέξομαι ὑμῖν. Καί μοι ἐπίλαβε τὸ ὕδωρ.

EVIDENCE AS TO PANCLEON'S SUBMITTING TO A SUIT
GOING AGAINST HIM BEFORE THE POLEMARCH.

- 15 Πρὶν τοίνυν ταῦτα ὁμολογηθῆναι αὐτῷ, δεδιὼς 105
τὸν Ἀριστόδικον, μεταστὰς ἐντεῦθεν Θήβησι
μετῴκει. καίτοι οἶμαι εἰδέναι ὑμᾶς ὅτι εἴπερ ἦν
Πλαταιεύς πανταχοῦ μᾶλλον ἢ Θήβησιν εἰκὸς
ἦν αὐτὸν μετοικῆσαι. Ὡς οὖν ᾧκει ἐκεῖ πολὺν
χρόνον, τούτων ὑμῖν μάρτυρας παρέξομαι. Καί 110
μοι ἐπίλαβε τὸ ὕδωρ.

EVIDENCE AS TO PANCLEON'S RESIDENCE IN THEBES.

- 16 Ἐξαρκεῖν μοι νομίζω τὰ εἰρημένα, ὧ ἄνδρες
δικασταί· ἐὰν γὰρ διαμνημονεύητε, οἶδ' ὅτι τά
τε δίκαια καὶ τάληθῇ ψηφιεῖσθε, καὶ ἃ ἐγὼ
ὑμῶν δέομαι. 115

ORATION XIII. [24.]

BEFORE THE BOULÈ. ANSWER OF A CRIPPLE TO
AN IMPEACHMENT CHARGING HIM WITH RECEIV-
ING STATE AID UNDER FALSE PRETENCES.

§ 1. *I am obliged to my opponent for giving me the opportunity of rendering an account of my life. At the same time he betrays the meanness of his motives.*

Ὀλίγου¹ δέω χάριν ἔχειν, ὦ βουλή, τῷ κατη-
 γόρφ, ὅτι μοι παρεσκεύασε τὸν ἀγῶνα τουτουί.
 πρότερον γὰρ οὐκ ἔχων πρόφασιν ἐφ' ἧς τοῦ
 βίου λόγον δόλῃν, νυνὶ διὰ τοῦτον εἴληφα. καὶ
 5 πειράσομαι τῷ λόγῳ τοῦτον μὲν ἐπιδείξαι ψευδό-
 μενον, ἑμαυτὸν δὲ βεβιωκότα μέχρι τῆσδε τῆς
 ἡμέρας ἐπαίνου μᾶλλον ἄξιον ἢ φθόνου· διὰ γὰρ
 οὐδὲν ἄλλο μοι δοκεῖ παρασκευάσαι τόνδε μοι
 τὸν κίνδυνον οὗτος ἢ διὰ φθόνον. καίτοι ὅστις 2
 10 τούτοις φθονεῖ οὗς οἱ ἄλλοι ἐλεοῦσι, τίνος ἂν
 ὑμῖν ὁ τοιοῦτος ἀποσχέσθαι δοκεῖ πονηρίας; οὐ
 μὲν γὰρ ἔνεκα χρημάτων με συκοφαντεῖ, οὐδ'
 ὥς ἐχθρὸν ἑαυτοῦ με τιμωρεῖται²· διὰ γὰρ τὴν
 πονηρίαν αὐτοῦ οὔτε φίλῳ οὔτε ἐχθρῷ πώποτε
 15 ἐχρησάμην αὐτῷ. ἤδη τοίνυν, ὦ βουλή, δηλὸς 3
 ἐστὶ φθονῶν, ὅτι τοιαύτη κεχρημένος συμφορᾷ
 τούτου βελτίων εἰμὶ πολίτης. καὶ γὰρ οἶμαι
 δεῖν, ὦ βουλή, τὰ τοῦ σώματος δυστυχήματα
 τοῖς τῆς ψυχῆς ἐπιτηδεύμασιν. ἰᾶσθαι καλῶς.
 20 εἰ γὰρ ἐξ ἴσου τῇ συμφορᾷ καὶ τὴν διάνοιαν ἔξω
 καὶ τὸν ἄλλον βίον διάξω, τί τοῦτου διοίσω;

§ 2. *He asserts that I receive State charity unfairly, because (1) I am of a sound body, (2) I have a trade sufficient to maintain me. To prove the first he alleges that I ride on horseback; and to prove the second that I associate with rich men.*

(a.) *I will answer the second assertion first. My father*

¹ ὀλίγου Cobetus. Scheibe οὐ πολλοῦ. W. πολλὴν ὀλίγου. 1. 3 pro ἐφ' ἧς Francken ἐφ' ἧ.

² Vulgo εἰ μὲν γὰρ . . . εἰ δ' ὥς . . . τιμωρεῖται ψεύδεται. Cobetus ψεύδεται delet, eis . . . εἰ in οὐ μὲν . . . οὐδ' mutat. Cui Scheibe assentit. W. εἰ δ' ὥς . . . τιμωρεῖται ψεύδεται.

left me nothing. Till three years ago I was maintaining my mother. I have no sons of an age to help me. My trade is laborious and not lucrative, and I can get no one to take my work in it. Do not therefore deprive me in my old age of what was thought due to me when I was younger, and therefore less in need of it. Rich ! would not he prefer to be Choragus ten times rather than exchange properties with me ?

- 4 Περὶ μὲν οὖν τούτων τοσαῦτά μοι εἰρήσθω·
 ὑπὲρ ὧν δὲ μοι προσήκει λέγειν ὥς ἂν οἶόν τε
 διὰ βραχυτάτων ἐρῶ. φησὶ γὰρ ὁ κατήγορος
 οὐ δικαίως με λαμβάνειν τὸ παρὰ τῆς πόλεως 25
 ἀργύριον· καὶ γὰρ τῷ σώματι δύνασθαι καὶ οὐκ
 εἶναι τῶν ἀδυνάτων, καὶ τέχνην ἐπίστασθαι
 τοιαύτην ὥστε καὶ ἄνευ τοῦ διδομένου τούτου
 5 ζῆν. καὶ τεκμηρίοις χρήται τῆς μὲν τοῦ σώματος
 ῥώμης, ὅτι ἐπὶ τοὺς ἵππους ἀναβαίνω, τῆς δ' ἐν 30
 τῇ τέχνῃ εὐπορίας, ὅτι δύναμαι συνεῖναι δυνα-
 μένοις ἀνθρώποις ἀναλίσκειν. τὴν μὲν οὖν ἐκ
 τῆς τέχνης εὐπορίαν καὶ τὸν ἄλλον τὸν ἐμὸν
 βίον, οἷος τυγχάνει, πάντας ὑμᾶς οἶομαι γινώ-
 6 σκειν· ὅμως δὲ καὶ γὰρ διὰ βραχέων ἐρῶ. ἔμοι 35
 γὰρ ὁ μὲν πατὴρ κατέλιπεν οὐδέν, τὴν δὲ μητέρα
 τελευτήσασαν πέπαυμαι τρέφων τρίτον ἔτος
 τουτί, παῖδες δὲ μοι οὐπω εἰσὶν οἳ με θεραπεύ-
 σουσι. τέχνην δὲ κέκτημαι βραχέα δυναμένην
 ὠφελεῖν, ἣν αὐτὸς μὲν ἤδη χαλεπῶς ἐργάζομαι, 40
 τὸν διαδεξόμενον δ' αὐτὴν οὐπω δύναμαι κτήσα-
 σθαι. πρόσοδος δὲ μοι οὐκ ἔστιν ἄλλη πλὴν
 ταύτης, ἣν ἂν ἀφέλησθέ με, κινδυνεύσαιμ' ἂν
 7 ὑπὸ τῇ δυσχερεστάτῃ γενέσθαι τύχῃ. μὴ τοίνυν,

45 ἐπειδὴ γε ἔστιν, ὦ βουλή, σῶσαί με δικαίως,
 ἀπολέσητε ἀδίκως· μηδὲ ἅ νεωτέρῳ καὶ μᾶλλον
 ἔρρωμένῳ ὄντι ἔδοτε, πρεσβύτερον καὶ ἀσθενέ-
 τερρον γιγνόμενον ἀφέλησθε· μηδὲ πρότερον καὶ
 50 περὶ τοὺς οὐδὲν ἔχοντας κακὸν ἐλεημονέστατοι
 δοκοῦντες εἶναι νυνὶ διὰ τοῦτον τοὺς καὶ τοῖς
 ἐχθροῖς ἐλεεινοὺς ὄντας ἀγρίως ἀποδέξασθε· μηδ'
 ἐμὲ τολμήσαντες ἀδικῆσαι καὶ τοὺς ἄλλους τοὺς
 ὁμοίως ἐμοὶ διακειμένους ἀθυμῆσαι ποιήσητε.
 καὶ γὰρ ἂν ἄτοπον εἴη, ὦ βουλή, εἰ ὅτε μὲν ἀπλή 8
 55 μοι ἦν ἡ συμφορά, τότε μὲν φαίνοίμην λαμβάνων
 τὸ ἀργύριον τοῦτο, νῦν δ' ἐπειδὴ καὶ γῆρας καὶ
 νόσοι καὶ τὰ τούτοις ἐπόμενα³ κακὰ προσγίνεται
 μοι, τότε ἀφαιρεθείην. δοκεῖ δέ μοι τῆς πενίας 9
 τῆς ἐμῆς τὸ μέγεθος ὁ κατήγορος ἂν ἐπιδεῖξαι
 60 σαφέστατα μόνος ἀνθρώπων. εἰ γὰρ ἐγὼ κατα-
 σταθεὶς χορηγὸς τραγῳδοῖς προκαλεσαίμην αὐτὸν
 εἰς ἀντίδοσιν, δεκάκις ἂν ἔλοιτο χορηγήσαι μᾶλ-
 λον ἢ ἀντιδοῦναι ἅπαξ. καὶ πῶς οὐ δεινὸν ἐστὶ
 νῦν μὲν κατηγορεῖν ὡς διὰ πολλὴν εὐπορίαν ἐξ
 65 ἴσου δύναμαι συνεῖναι τοῖς πλουσιωτάτοις, εἰ δὲ
 ὦν ἐγὼ λέγω τύχοι τι γενόμενον, τοιοῦτον εἶναι;
 καὶ ἔστι τι πονηρότερον;⁴

Κατ' ὅς οὐκ ἔτι

(b.) As to my riding on horseback. It is the result of my bodily infirmity. I only do it to be able to go on such journeys as I am forced to take. It is a proof of poverty; for if I had been rich I should have ridden on

³ Scheibe ἐχόμενα.

⁴ MSS. εἶναι καὶ ἔτι πονηρότερον. Scheibii emendationem dedi, non quo pro certo habeo sed quia in loco corrupto nihil melius mihi in mentem venit. Cobetus καὶ τί ἔτι.

a mule, not borrowed horses. He might just as well allege the fact of my using two walking-sticks instead of one, as a proof of wealth.

- 10 Περὶ δὲ τῆς ἐμῆς ἵππικῆς, ἥς οὗτος ἐτόλμησε
 μνησθῆναι πρὸς ὑμᾶς, οὔτε τὴν τύχην δείσας
 οὔτε ὑμᾶς αἰσχυνθεὶς, οὐ πολὺς ὁ λόγος. ἔγνω 70
 γάρ, ὦ βουλή, πάντας τοὺς ἔχοντάς τι δυστύχημα
 τοιοῦτόν τι ζητεῖν καὶ τοῦτο φιλοσοφεῖν, ὅπως
 ὡς ἀλυπότατα μεταχειριούνται τὸ συμβεβηκὸς
 πάθος. ὦν εἰς ἐγὼ, καὶ περιπεπτωκὼς τοιαύτη
 συμφορᾷ ταύτῃ ἐμαυτῷ ῥαστώνῃ ἐξεύρον εἰς 75
 11 τὰς ὁδοὺς τὰς μακροτέρας τῶν ἀναγκαίων. καὶ δὲ
 μέγιστον, ὦ βουλή, τεκμήριον ὅτι διὰ τὴν συμ-
 φορὰν ἀλλ' οὐ διὰ τὴν ὕβριν, ὡς οὗτός φησιν,
 ἐπὶ τοὺς ἵππους ἀναβαίνω ῥάδιόν ἐστι μαθεῖν. εἰ
 γὰρ ἐκεκτῆμην οὐσίαν, ἐπ' ἀστράβης ἂν ὠχούμην, 80
 ἀλλ' οὐκ ἐπὶ τοὺς ἀλλοτρίους ἵππους ἀνέβαινον·
 νυνὶ δ' ἐπειδὴ τοιοῦτον οὐ δύναμαι κτήσασθαι,
 τοῖς ἀλλοτρίοις ἵπποις ἀναγκάζομαι χρῆσθαι
 12 πολλάκις. καίτοι πῶς οὐκ ἄτοπὸν ἐστίν, ὦ
 βουλή, τοῦτον αὐτόν, εἰ μὲν ἐπ' ἀστράβης ὀχού- 85
 μενον ἐώρα με, σιωπᾶν ἂν (τί γὰρ ἂν καὶ ἔλεγεν;),
 ὅτι δ' ἐπὶ τοὺς ἡττημένους ἵππους ἀναβαίνω,
 πειρᾶσθαι πείθειν ὑμᾶς ὡς δυνατός εἰμι; καὶ
 ὅτι μὲν δυοῖν βακτηρίαιν χρῶμαι, τῶν ἄλλων
 μιᾷ χρωμένων, μὴ κατηγορεῖν ὡς καὶ τοῦτο τῶν 90
 δυναμένων ἐστίν· ὅτι δ' ἐπὶ τοὺς ἵππους ἀνα-
 βαίνω, τεκμηρίῳ χρῆσθαι πρὸς ὑμᾶς ὡς εἰμι τῶν
 δυναμένων; οἷς ἐγὼ διὰ τὴν αὐτὴν αἰτίαν ἀμφο-
 τέροις χρῶμαι.

§ 3. *If I am not physically incapacitated, let me be elected Archon, and he take my dole. He cannot say in one breath that I am sound, and in the next that I am too unsound to be Archon.*

- 95 Τοσοῦτον δὲ διενήνοχεν ἀναισχυντία τῶν¹³
 ἀπάντων ἀνθρώπων, ὥστε ὑμᾶς πειράται πείθειν,
 τοσοῦτους ὄντας εἰς ὧν, ὡς οὐκ εἰμι τῶν ἀδυνά-
 των ἐγώ. καίτοι εἰ τοῦτο πείσει τινὰς ὑμῶν, ὃ
 βουλή, τί με κωλύει κληροῦσθαι τῶν ἐννέα ἀρχόν-
 100 των, καὶ ὑμᾶς ἐμοῦ μὲν ἀφελέσθαι τὸν ὀβολὸν
 ὡς ὑγιαίνοντος, τούτῳ δὲ ψηφίσασθαι πάντα ὡς
 ἀναπήρῳ; οὐ γὰρ δήπου τὸν αὐτὸν ὑμεῖς μὲν ὡς
 δυνάμενον ἀφαιρήσεσθε τὸ διδόμενον, οἱ δὲ ὡς
 ἀδύνατον ὄντα κληροῦσθαι κωλύουσιν. ἀλλὰ¹⁴
 105 γὰρ οὔτε ὑμεῖς τούτῳ τὴν αὐτὴν ἔχετε γνώμην,
 οὔθ' οὗτος εὖ ποιῶν.⁵ ὁ μὲν γὰρ ὥσπερ ἐπι-
 κλήρου τῆς συμφορᾶς οὔσης ἀμφισβητήσων ἦκει
 καὶ πειράται πείθειν ὑμᾶς ὡς οὐκ εἰμι τοιοῦτος
 οἶον ὑμεῖς ὀράτε πάντες· ὑμεῖς δὲ (ὃ τῶν εὖ
 110 φρονούντων ἔργον ἐστὶ) μᾶλλον πιστεύετε τοῖς
 ὑμετέροις αὐτῶν ὀφθαλμοῖς ἢ τοῖς τούτου λόγοις.

§ 4. *He next says (1) that I am violent and disorderly in my conduct. He must be joking. These are the vices of the young, the rich, and the strong; not of the old and crippled.*

Λέγει δ' ὡς ὑβριστῆς εἰμι καὶ βίαιος καὶ λῖαν¹⁵
 ἀσελγῶς διακείμενος, ὥσπερ εἰ φοβερῶς ὀνομάσαι
 μέλλων ἀληθῆ λέγειν, ἀλλ' οὐκ, ἂν πάνυ πρα-

⁵ Al. ὅστις εὖ φρονῶν vel νοῶν. Sed sanum puto. Καγερὶ οὔθ' οὗτος ἐαυτῷ.

ὥτως μὴδὲ ψεύδεται, ταῦτα ποιήσων.⁶ ἐγὼ δ' 115
 ὑμᾶς, ὦ βουλή, σαφῶς οἶμαι δεῖν διαγινώσκειν
 οἷς τ' ἐγχωρεῖ τῶν ἀνθρώπων ὑβρισταῖς εἶναι καὶ
 16 οἷς οὐ προσήκει. οὐ γὰρ πενομένους καὶ λίαν
 ἀπόρως διακειμένους ὑβρίζειν εἰκός, ἀλλὰ τοὺς
 πολλῶ πλείω τῶν ἀναγκαίων κεκτημένους· οὐδὲ 120
 τοὺς ἀδυνάτους τοῖς σώμασιν ὄντας, ἀλλὰ τοὺς
 μάλιστα πιστεύοντας ταῖς αὐτῶν ῥώμασι· οὐδὲ
 τοὺς ἤδη προβεβηκότας τῇ ἡλικίᾳ, ἀλλὰ τοὺς ἔτι
 17 νέους καὶ νέαις ταῖς διανοαῖς χρωμένους. οἱ
 μὲν γὰρ πλούσιοι τοῖς χρήμασιν ἐξωνοῦνται τοὺς 125
 κινδύνους, οἱ δὲ πένητες ὑπὸ τῆς παρούσης ἀπο-
 ρίας σωφρονεῖν ἀναγκάζονται· καὶ οἱ μὲν νέοι
 συγγνώμης ἀξιοῦνται τυγχάνειν παρὰ τῶν πρεσ-
 βυτέρων, τοῖς δ' ἐτέροις ἐξαμαρτάνουσιν ὁμοίως
 18 ἐπιτιμῶσιν ἀμφοτέροι· καὶ τοῖς μὲν ἰσχυροῖς 130
 ἐγχωρεῖ μὴδὲν αὐτοῖς πᾶσχουσιν, οὓς ἂν βουλη-
 θῶσιν, ὑβρίζειν, τοῖς δὲ ἀσθενέσιν οὐκ ἔστιν οὔτε
 ὑβριζομένοις ἀμύνεσθαι τοὺς ὑπάρξαντας οὔτε
 ὑβρίζειν βουλομένοις περιγίνεσθαι τῶν ἀδικου-
 μένων. ὥστε μοι δοκεῖ ὁ κατήγορος εἰπεῖν περὶ 135
 τῆς ἐμῆς ὕβρεως οὐ σπουδάζων, ἀλλὰ παίζων,
 οὐδ' ὑμᾶς πείσαι βουλόμενος ὥς εἰμι τοιοῦτος,
 ἀλλ' ἐμὲ κωμωδεῖν βουλόμενος, ὥσπερ τι καλὸν
 ποιῶν.

(2.) *That my house is the resort of men of bad character and ruined fortunes, who look out for the opportunity of fleecing others. But I am no more responsible than any other trader for the character of those who frequent my shop.*

⁶ Locus multum tentatus. *Francken* conj. φοβεροῖς ὀνόμασι . . ψευδῇ, ταῦτα πείσω. *W.* ὥσπερ, εἰ . . ὀνομάσειε . . . πρᾶνως ψεύδεται, πῖστα.

§ 3. *If I am not physically incapacitated, let me be elected Archon, and he take my dole. He cannot say in one breath that I am sound, and in the next that I am too unsound to be Archon.*

- 95 Τοσοῦτον δὲ διενήνοχεν ἀναισχυντία τῶν 13
 ἀπάντων ἀνθρώπων, ὥστε ὑμᾶς πειράται πείθειν,
 τοσοῦτους ὄντας εἰς ὧν, ὡς οὐκ εἰμι τῶν ἀδυνά-
 των ἐγώ. καίτοι εἰ τοῦτο πείσει τινὰς ὑμῶν, ὃ
 βουλή, τί με κωλύει κληροῦσθαι τῶν ἐννέα ἀρχόν-
 100 των, καὶ ὑμᾶς ἐμοῦ μὲν ἀφελέσθαι τὸν ὀβολὸν
 ὡς ὑγιαίνοντος, τούτῳ δὲ ψηφίσασθαι πάντα ὡς
 ἀναπήρῳ; οὐ γὰρ δήπου τὸν αὐτὸν ὑμεῖς μὲν ὡς
 δυνάμενον ἀφαιρήσεσθε τὸ διδόμενον, οἱ δὲ ὡς
 ἀδύνατον ὄντα κληροῦσθαι κωλύουσιν. ἀλλὰ 14
 105 γὰρ οὔτε ὑμεῖς τούτῳ τὴν αὐτὴν ἔχετε γνώμην,
 οὔθ' οὗτος εὖ ποιῶν.⁵ ὁ μὲν γὰρ ὥσπερ ἐπι-
 κλήρου τῆς συμφορᾶς οὔσης ἀμφισβητήσων ἔκει
 καὶ πειράται πείθειν ὑμᾶς ὡς οὐκ εἰμι τοιοῦτος
 οἶον ὑμεῖς ὁρᾶτε πάντες· ὑμεῖς δὲ (ὃ τῶν εὖ
 110 φρονούντων ἔργον ἐστὶ) μᾶλλον πιστεύετε τοῖς
 ὑμετέροις αὐτῶν ὀφθαλμοῖς ἢ τοῖς τούτου λόγοις.

§ 4. *He next says (1) that I am violent and disorderly in my conduct. He must be joking. These are the vices of the young, the rich, and the strong; not of the old and crippled.*

Λέγει δ' ὡς ὑβριστῆς εἰμι καὶ βίαιος καὶ λῖαν 15
 ἀσελγῶς διακείμενος, ὥσπερ εἰ φοβερῶς ὀνομάσαι
 μέλλων ἀληθῆ λέγειν, ἀλλ' οὐκ, ἂν πάνυ πρα-

⁵ Al. ὅστις εὖ φρονῶν vel νοῶν. Sed sanum puto. *Kayser*
 οὔθ' οὗτος ἐαυτῷ.

ὥτως μηδὲ ψεύδεται, ταῦτα ποιήσων.⁶ ἐγὼ δ' 115
 ὑμᾶς, ὦ βουλή, σαφῶς οἶμαι δεῖν διαγινώσκειν
 οἷς τ' ἐγγωρεῖ τῶν ἀνθρώπων ὑβρισταῖς εἶναι καὶ
 16 οἷς οὐ προσήκει. οὐ γὰρ πενομένους καὶ λίαν
 ἀπόρως διακειμένους ὑβρίζειν εἰκός, ἀλλὰ τοὺς
 πολλῷ πλεῖω τῶν ἀναγκαίων κεκτημένους· οὐδὲ 120
 τοὺς ἀδυνάτους τοῖς σώμασιν ὄντας, ἀλλὰ τοὺς
 μάλιστα πιστεύοντας ταῖς αὐτῶν ῥώμασι· οὐδὲ
 τοὺς ἤδη προβεβηκότας τῇ ἡλικίᾳ, ἀλλὰ τοὺς ἔτι
 17 νέους καὶ νέαις ταῖς διανοαῖς χρωμένους. οἱ
 μὲν γὰρ πλούσιοι τοῖς χρήμασιν ἐξωνοῦνται τοὺς 125
 κινδύνους, οἱ δὲ πένητες ὑπὸ τῆς παρούσης ἀπο-
 ρίας σωφρονεῖν ἀναγκάζονται· καὶ οἱ μὲν νέοι
 συγγνώμης ἀξιοῦνται τυγχάνειν παρὰ τῶν πρεσ-
 βυτέρων, τοῖς δ' ἑτέροις ἐξαμαρτάνουσιν ὁμοίως
 18 ἐπιτιμῶσιν ἀμφοτέροι· καὶ τοῖς μὲν ἰσχυροῖς 130
 ἐγγωρεῖ μηδὲν αὐτοῖς πάσχουσιν, οὕς ἂν βουλη-
 θῶσιν, ὑβρίζειν, τοῖς δὲ ἀσθενέσιν οὐκ ἔστιν οὔτε
 ὑβριζομένοις ἀμύνεσθαι τοὺς ὑπάρξαντας οὔτε
 ὑβρίζειν βουλομένοις περιγίνεσθαι τῶν ἀδικου-
 μένων. ὥστε μοι δοκεῖ ὁ κατήγορος εἰπεῖν περὶ 135
 τῆς ἐμῆς ὕβρεως οὐ σπουδάζων, ἀλλὰ παίζων,
 οὐδ' ὑμᾶς πείσαι βουλόμενος ὥς εἰμι τοιοῦτος,
 ἀλλ' ἐμὲ κωμφοεῖν βουλόμενος, ὥσπερ τι καλὸν
 ποιῶν.

(2.) *That my house is the resort of men of bad character and ruined fortunes, who look out for the opportunity of fleecing others. But I am no more responsible than any other trader for the character of those who frequent my shop.*

⁶ Locus multum tentatus. *Francken* conj. φοβεροῖς ὀνόμασι . . ψευδῇ, ταῦτα πείσων. *W.* ὥσπερ, εἰ . . ὀνομάσειε. (πραδὼς ψεύδεται, πῖστα.

- 140 Ἔτι δὲ καὶ συλλέγεσθαι φησιν ἀνθρώπους ὡς 19
 ἐμὲ πονηροὺς καὶ πολλοὺς, οἱ τὰ μὲν ἐαυτῶν
 ἀνηλώκασι, τοῖς δὲ τὰ σφέτερα σώζειν βουλο-
 μένοις ἐπιβουλεύουσιν. ὑμεῖς δὲ ἐνθυμήθητε
 πάντες ὅτι ταῦτα λεγὼν οὐδὲν ἐμοῦ κατηγορεῖ
 145 μᾶλλον ἢ τῶν ἄλλων ὅσοι τέχνας ἔχουσιν, οὐδὲ
 τῶν ὡς ἐμὲ εἰσιόντων μᾶλλον ἢ τῶν ὡς τοὺς
 ἄλλους δημιουργοὺς. ἕκαστος γὰρ ὑμῶν εἴθισται 20
 προσφοιτᾷν ὁ μὲν πρὸς μυροπωλεῖον, ὁ δὲ πρὸς
 κουρεῖον, ὁ δὲ πρὸς σκυτοτομεῖον, ὁ δ' ὅποι ἂν
 150 τύχῃ, καὶ πλείστοι μὲν ὡς τοὺς ἐγγυτάτῳ τῆς
 ἀγορᾶς κατεσκευασμένους, ἐλάχιστοι δὲ ὡς τοὺς
 πλείστον ἀπέχοντας αὐτῆς· ὥστ' εἴ τις ὑμῶν
 πονηρίαν καταγνώσεται τῶν ὡς ἐμὲ εἰσιόντων,
 δῆλον ὅτι καὶ τῶν παρὰ τοῖς ἄλλοις διατρίβόν-
 155 των· εἰ δὲ κακείνων, ἀπάντων Ἀθηναίων· ἅπαν-
 τες γὰρ εἴθισθε προσφοιτᾷν καὶ διατρίβειν ἀμοῦ
 γέ που.

§ 5. Providence has debarred me from advancement in civil life ; you have done something to redress the balance by your charity. Do not undo it. You have no cause to do so, either from my character, or from the part I played in politics at the time of the Revolution.

- Ἀλλὰ γὰρ οὐκ οἶδ' ὃ τι δεῖ λίαν με ἀκριβῶς 21
 ἀπολογούμενον πρὸς ἐν ἕκαστον ὑμῖν τῶν εἰρη-
 160 μένων ἐνοχλεῖν πλείω χρόνον. εἰ γὰρ ὑπὲρ τῶν
 μεγίστων εἴρηκα, τί δεῖ περὶ τῶν ὁμοίως τούτῳ
 φαύλων σπουδάζειν ; ἐγὼ δ' ὑμῶν, ὦ βουλή,
 δέομαι πάντων τὴν αὐτὴν ἔχειν περὶ ἐμοῦ διάνοιαν,

12 ἦνπερ καὶ πρότερον. μηδ' οὐ μόνου μεταλαβεῖν
 ἔδωκεν ἡ τύχη μοι τῶν ἐν τῇ πατρίδι, τούτου διὰ 165
 τουτουὶ ἀποστερήσητέ με· μηδ' ἂ πάλαι κοινῇ
 πάντες ἔδοτέ μοι, νῦν οὗτος εἰς ὧν πείσῃ πάλιν
 ὑμᾶς ἀφελέσθαι. ἐπειδὴ γάρ, ὦ βουλή, τῶν
 μεγίστων ἀρχῶν* ὁ δαίμων ἀπεστέρησεν ἡμᾶς, ἡ
 πόλις ἡμῖν ἐψηφίσατο τοῦτο τὸ ἀργύριον, ἡγου- 170
 μένη κοινὰς εἶναι τὰς τύχας τοῖς ἅπασιν καὶ
 23 τῶν κακῶν καὶ τῶν ἀγαθῶν. πῶς οὖν οὐκ ἂν
 δειλαιότατος εἶην, εἰ τῶν μὲν καλλίστων καὶ
 μεγίστων διὰ τὴν συμφορὰν ἀπεστερημένος εἶην,
 ἂ δ' ἡ πόλις ἔδωκε προνοηθεῖσα τῶν οὕτως 175
 διακειμένων, διὰ τὸν κατήγορον ἀφαιρεθεῖην;
 μηδαμῶς, ὦ βουλή, ταύτη θῆσθε τὴν ψῆφον.
 διὰ τί γάρ ἂν καὶ τύχοιμι τοιούτων ὑμῶν;
 24 πότερον ὅτι δι' ἐμέ τις εἰς ἀγῶνα πῶποτε κατα-
 στας ἀπώλεσε τὴν οὐσίαν; ἀλλ' οὐδ' ἂν εἰς 180
 ἀποδείξειεν. ἀλλ' ὅτι πολυπράγμων εἰμὶ καὶ
 θρασὺς καὶ φιλαπεχθήμων; ἀλλ' οὐ τοιαύταις
 ἀφορμαῖς τοῦ βίου πρὸς τὰ τοιαῦτα τυγχάνω
 5 χρώμενος. ἀλλ' ὅτι λίαν ὑβριστὴς καὶ βίαιος;
 ἀλλ' οὐδ' ἂν αὐτὸς φήσειεν, εἰ μὴ βούλοιτο καὶ 185
 τοῦτο ψεύδεσθαι τοῖς ἄλλοις ὁμοίως. ἀλλ' ὅτι
 ἐπὶ τῶν τριάκοντα γενόμενος ἐν δυνάμει κακῶς
 ἐποίησα πολλοὺς τῶν πολιτῶν; ἀλλὰ μετὰ τοῦ
 ὑμετέρου πλήθους ἔφυγον εἰς Χαλκίδα τὴν ἐπ'
 Εὐρύπφῃ, καὶ ἐξόν μοι μετ' ἐκείνων ἀδεῶς πολι- 190
 τεύεσθαι, μεθ' ὑμῶν εἰλόμην κινδυνεύειν ἀπάν-
 των.⁷ μὴ τοίνυν, ὦ βουλή, μηδὲν ἡμαρτηκῶς
 ἰμοίων ὑμῶν τύχοιμι τοῖς πολλὰ ἡδίκηκόσιν,

* Del. R. W. alii.

⁷ Dobree, Francken ὑπὲρ πάντων.

ἀλλὰ τὴν αὐτὴν ψῆφον θέσθε περὶ ἐμοῦ ταῖς
 195 ἄλλαις βουλαῖς, ἀναμνησθέντες ὅτι οὔτε χρήματα
 διαχειρίσας τῆς πόλεως δίδωμι λόγον αὐτῶν,
 οὔτε ἀρχὴν ἄρξας οὐδεμίαν εὐθύνας ὑπέχω νῦν
 αὐτῆς, ἀλλὰ περὶ ὀβολοῦ μόνον ποιοῦμαι τοὺς
 λόγους. καὶ οὕτως ὑμεῖς μὲν τὰ δίκαια γνώσεσθε
 200 πάντες, ἐγὼ δὲ τούτων ὑμῖν τυχὼν ἔξω τὴν
 χάριν, οὗτος δὲ τοῦ λοιποῦ μαθήσεται μὴ τοῖς
 ἀσθενεστέροις ἐπιβουλεύειν ἀλλὰ τῶν ὁμοίων
 αὐτῷ περιγίνεσθαι.

ORATION XIV. [28.]

AGAINST ERGOCLÉS FOR EXTORTION. BEFORE
THE BOULÉ.

§ 1. *Ergocles cannot even by his death give full satisfaction for the mischief he has done to you and your allies, to your navy and your revenue, and for the money he and his friends have embezzled.*

Τὰ μὲν κατηγορημένα οὕτως ἐστὶ πολλὰ καὶ
 δεινὰ, ὧ ἄνδρες Ἀθηναῖοι, ὥστε οὐκ ἂν μοι δοκεῖ
 δύνασθαι Ἐργοκλῆς ὑπὲρ ἐνὸς ἐκάστου τῶν
 πεπραγμένων αὐτῷ πολλάκις ἀποθανὼν δοῦναι
 5 δίκην ἀξίαν τῷ ὑμετέρῳ πλήθει. καὶ γὰρ πόλεις
 προδεδωκὼς φαίνεται, καὶ προξένους καὶ πολίτας
 ὑμετέρους ἡδικοκῶς, καὶ ἐκ πένητος ἐκ τῶν
 ὑμετέρων πλούσιος γεγεννημένος. καίτοι πῶς
 αὐτοῖς χρή συγγνώμην ἔχειν, ὅταν ὁρᾶτε τὰς

μὲν ναῦς, ὧν ἦρχον οὗτοι, δι' ἀπορίαν χρημάτων 10
 καταλυόμενας καὶ ἐκ πολλῶν ὀλίγας γινομένας,
 τούτους δὲ πένητας καὶ ἀπόρους ἐκπλεύσαντας
 οὕτω ταχέως πλείστην τῶν πολιτῶν οὐσίαν
 κεκτημένους ; ὑμέτερον τοίνυν ἔργον ἐστίν, ὦ
 ἄνδρες Ἀθηναῖοι, ἐπὶ τοῖς τοιούτοις ὀργίζεσθαι. 15
 3 καὶ γὰρ δὴ δεινὸν ἂν εἴη, εἰ νῦν μὲν οὕτως αὐτοὶ
 πιεζόμενοι ταῖς εἰσφοραῖς συγγνώμην τοῖς κλέπ-
 τούσι καὶ τοῖς δωροδοκοῦσιν ἔχοιτε, ἐν δὲ τῷ
 τέως χρόνῳ, καὶ τῶν οἰκων τῶν ὑμετέρων μεγάλων
 ὄντων καὶ τῶν δημοσίων προσόδων μεγάλων 20
 οὐσῶν, θανάτῳ ἐκολάζετε τοὺς τῶν ὑμετέρων
 ἐπιθυμούντας.

§ 2. *If you had known what was going to happen you would never have trusted Thrasybulus. Now, it was Ergocles who advised Thrasybulus, when summoned home to give an account of his administration, to seize Byzantium and defy you. This is the result of wealth gained by public frauds. No sooner are men thus wealthy than they grow disloyal. Thrasybulus, happily for himself, is dead. But Ergocles and his colleagues can and ought to be punished for the sake of example, in spite of their bribery.*

4 Οἶμαι δ' ἔγωγε πάντας ὑμᾶς ὁμολογήσαι, εἰ
 ὑμῖν Θρασύβουλος ἐπηγγέλλετο τριήρεις ἔχων
 ἐκπλεύσεσθαι καὶ ταύτας παλαιὰς ἀντὶ καινῶν 25
 παραδώσειν, καὶ τοὺς μὲν κινδύνους ὑμετέρους
 ἔσσεσθαι, τὰς δ' ὠφελείας τῶν αὐτοῦ φίλων, καὶ
 ὑμᾶς μὲν διὰ τὰς εἰσφορὰς πενεστέρους ἀπο-
 δείξειν, Ἐργοκλέα δὲ καὶ τοὺς κόλακας τοὺς

- 30 αὐτοῦ πλουσιωτάτους τῶν πολιτῶν ποιήσῃν, οὐδένα ἂν ὑμῶν ἐπιτρέψαι τὰς ναῦς ἐκείνον ἔχοντα ἐκπλεῦσαι. ἄλλως τε καὶ ἐπειδὴ τάχιστα 5 ὑμεῖς ἐψηφίσασθε τὰ χρήματα ἀπογράψαι τὰ ἐκ τῶν πόλεων εἰλημμένα καὶ τοὺς ἄρχοντας τοὺς
- 35 μετ' ἐκείνου καταπλεῖν εὐθύνας δώσοντας, Ἐργοκλῆς ἔλεγεν ὡς ἤδη συκοφαντεῖτε καὶ τῶν ἀρχαίων νόμων ἐπιθυμεῖτε, καὶ Θρασυβούλῳ συνεβούλευε Βυζάντιον καταλαβεῖν καὶ τὰς ναῦς ἔχειν καὶ τὴν Σεύθου θυγατέρα γαμεῖν. “ἵνα αὐτῶν ἐκκόψῃς” 6
- 40 ἔφη “τὰς συκοφαντίας· ποιήσεις γὰρ αὐτοὺς οὐκ ἐπιβουλεύοντας σοὶ καθῆσθαι καὶ τοῖς σοῖς φίλοις, ἀλλὰ περὶ αὐτῶν δεδιέναι.” οὕτως, ὦ ἄνδρες Ἀθηναῖοι ἐπειδὴ τάχιστα ἐνέπληντο¹ καὶ τῶν ὑμετέρων ἀπέλαυσαν, ἀλλοτρίους τῆς πόλεως
- 45 ἑαυτοὺς ἡγήσαντο. ἅμα γὰρ πλουτοῦσι καὶ ὑμᾶς 7 μισοῦσι, καὶ οὐκέτι ὡς ἀρξόμενοι παρασκευάζονται ἀλλ' ὡς ὑμῶν ἄρξοντες, καὶ δεδιότες ὑπὲρ ὧν ὑφῆρηνται ἔτοιμοί εἰσι καὶ χωρία καταλαμβάνειν καὶ ὀλιγαρχίαν καθιστάναι καὶ πάντα
- 50 πράττειν, ὅπως ὑμεῖς ἐν τοῖς δεινοτάτοις κινδύνοις καθ' ἐκάστην ἡμέραν ἔσεσθε· οὕτως γὰρ ἡγοῦνται οὐκέτι τοῖς σφετέροις αὐτῶν ἁμαρτήμασι τὸν νοῦν ὑμᾶς προσέξειν, ἀλλ' ὑπὲρ ὑμῶν αὐτῶν καὶ τῆς πόλεως ὀρρωδοῦντας ἡσυχίαν πρὸς τούτους
- 55 ἔξειν. Θρασύβουλος μὲν οὖν, ὦ ἄνδρες Ἀθηναῖοι, 8 (οὐδὲν γὰρ δεῖ περὶ αὐτοῦ πλεῖω λέγειν) καλῶς ἐποίησεν οὕτως τελευτήσας τὸν βίον· οὐ γὰρ ἔδει αὐτὸν οὔτε ζῆν τοιούτοις ἔργοις ἐπιβου-

¹ ΑΙ. ἐνέπληντο.

λεύοντα, οὐθ' ὑφ' ὑμῶν ἀποθανεῖν ἤδη τι δοκοῦντα
 ὑμᾶς ἀγαθὸν πεποιηκέναι, ἀλλὰ τοιούτῳ τρόπῳ 60
 9 τῆς πόλεως ἀπαλλαγῆναι. ὁρῶ δ' αὐτοὺς διὰ
 τὴν πρῶην ἐκκλησίαν οὐκέτι φειδομένους τῶν
 χρημάτων, ἀλλ' ὠνουμένους τὰς αὐτῶν ψυχὰς
 καὶ παρὰ τῶν λεγόντων καὶ παρὰ τῶν ἐχθρῶν
 καὶ παρὰ τῶν πρυτάνεων, καὶ πολλοὺς Ἀθηναίων 65
 ἀργυρίῳ διαφθείρειν. ὑπὲρ ὧν ὑμῖν ἄξιόν ἐστιν
 ἀπολογήσασθαι παρὰ τούτου νῦν δίκην λαβοῦσι,
 καὶ πᾶσιν ἀνθρώποις ἐπιδείξαι ὅτι οὐκ ἔστι
 τοσαῦτα χρήματα, ὧν ὑμεῖς ἠπτήσεσθε ὥστε μὴ
 10 τιμωρεῖσθαι τοὺς ἀδικοῦντας. ἐνθυμεῖσθε γάρ, 70
 ὦ ἄνδρες Ἀθηναῖοι, ὅτι οὐκ Ἐργοκλῆς μόνος
 κρίνεται, ἀλλὰ καὶ ἡ πόλις ὅλη. νυνὶ γὰρ τοῖς
 ἄρχουσι τοῖς ὑμετέροις ἐπιδείξετε πότερον χρή
 δικαίοις εἶναι, ἢ ὡς πλείστα τῶν ὑμετέρων ὑφelo-
 μένοις τῷ αὐτῷ τρόπῳ τὴν σωτηρίαν παρα- 75
 σκευάζεσθαι, ὥπερ οὗτοι νυνὶ πειρῶνται. καίτοι
 11 εὖ εἰδέναι χρή, ὦ ἄνδρες Ἀθηναῖοι· ὅστις ἐν
 τοσαύτῃ ἀπορίᾳ τῶν ὑμετέρων πραγμάτων ἢ
 πόλεις προδίδωσιν ἢ χρήματα κλέπτειν ἢ δωρο-
 δοκεῖν ἀξιοί, οὗτος καὶ τὰ τέλχη καὶ τὰς ναῦς 80
 τοῖς πολεμίοις παραδίδωσι καὶ ὀλιγαρχίαν ἐκ
 δημοκρατίας καθίστησιν· ὥστ' οὐκ ἄξιον ὑμῖν
 τῆς τούτων παρασκευῆς ἠττᾶσθαι, ἀλλὰ παρά-
 δειγμα πᾶσιν ἀνθρώποις ποιῆσαι καὶ μήτε κέρδος
 μήτε ἔλεον μήτ' ἄλλο μηδὲν περὶ πλείονος ποιῆ- 85
 σασθαι τῆς τούτων τιμωρίας.

§ 3. I do not suppose he will plead his foreign services,

but will refer to the part he took in the Revolution to prove that he is a friend to the Democracy. I answer, that open disloyalty, such as that of the Thirty, is less criminal, because less dangerous, than the pretended loyalty which only enriches itself under cover of care for you. Condemn him for the sake of example; if you acquit him and his friends, they will feel no gratitude to you, but put it all down to the money they have spent in bribes. You will show also the injured States, such as Halicarnassus, that the harm he did them was not done with your approval.

Οἶμαι δ' Ἐργοκλέα, ὦ ἄνδρες Ἀθηναῖοι, περὶ 12
 μὲν Ἀλικαρνασσοῦ καὶ περὶ τῆς ἀρχῆς καὶ περὶ
 τῶν αὐτῷ πεπραγμένων οὐκ ἐπιχειρήσειν ἀπο-
 90 λογεῖσθαι, ἐρεῖν δὲ ὡς ἀπὸ Φυλῆς κατήλθε καὶ
 ὡς δημοτικός ἐστι καὶ ὡς τῶν κινδύνων τῶν
 ὑμετέρων μετέσχευ. ἐγὼ δέ, ὦ ἄνδρες Ἀθηναῖοι,
 οὐ τὴν αὐτὴν γνώμην ἔχω περὶ τῶν τοιούτων·
 ἀλλ' ὅσοι μὲν ἐλευθερίας καὶ τοῦ δικαίου ἐπιθυ- 13
 95 μούντες καὶ τοὺς νόμους ἰσχύειν βουλόμενοι καὶ
 τοὺς ἀδικοῦντας μισοῦντες τῶν ὑμετέρων κινδύνων
 μετέσχον, οὐ πονηροὺς εἶναι πολίτας, οὐδὲ ἀδίκως
 τούτοις φημὶ ἂν εἶναι ὑπόλογον. τὴν ἐκείνων
 φυγὴν· ὅσοι δὲ κατελθόντες ἐν δημοκρατία τὸ
 100 μὲν ὑμέτερον πλῆθος ἀδικοῦσι, τοὺς δὲ ἰδίους
 οἴκους ἐκ τῶν ὑμετέρων μεγάλους ποιοῦσι, πολὺ
 μᾶλλον αὐτοῖς προσήκει ὀργίζεσθαι ἢ τοῖς τριά-
 κοντα. οἱ μὲν γὰρ ἐπὶ τοῦτ' ἐχειροτονήθησαν, 14
 ἵνα κακῶς, εἴ πῃ δύναιντο, ὑμᾶς ποιήσειαν.²
 105 τούτοις δ' ὑμᾶς αὐτοὺς ἐπετρέψατε, ὡς μεγάλην

² ποιήσειαν Scheide pro ποιήσαιεν, cf. viii. l. 47.

καὶ ἐλευθέραν τὴν πόλιν ποιήσωσιν.³ ὧν ὑμῖν
οὐδὲν ἀποβέβηκεν, ἀλλὰ τὸ ἐπὶ τούτοις εἶναι ἐν
τοῖς δεινοτάτοις κινδύνοις καθεστήκατε, ὥστε
πολὺ ἂν δικαιότερον ὑμᾶς αὐτοὺς ἢ τούτους
ἐλεοῖτε, καὶ τοὺς ὑμετέρους παῖδας καὶ γυναῖκας, 110
15 ὅτι ὑπὸ τοιούτων ἀνδρῶν λυμαίνεσθε. ὅταν γὰρ
ἡγησώμεθα⁴ σωτηρίας ἀντειλήφθαι, δεινότερα
ὑπὸ τῶν ἡμετέρων ἀρχόντων πάσχομεν ἢ ὑπὸ
τῶν πολεμίων. καίτοι πάντες ἐπίστασθε ὅτι
οὐδεμία ἐλπίς σωτηρίας ὑμῖν δυστυχήσασιν. ὥστε 115
ἄξιον ὑμᾶς παρακελευσαμένους ὑμῖν αὐτοῖς παρὰ
τούτων νυνὶ τὴν μεγίστην δίκην λαβεῖν, καὶ τοῖς
ἄλλοις Ἑλλησιν ἐπιδείξαι ὥς τοὺς ἀδικοῦντας
τιμωρεῖσθε, καὶ τοὺς ὑμετέρους ἄρχοντας βελτίους
16 ποιήσετε. ἐγὼ μὲν οὖν ταῦθ' ὑμῖν παρακελεύο- 120
μαι· ὑμᾶς δὲ χρὴ εἰδέναι ὅτι, ἂν μὲν ἐμοὶ
πεισθῇτε, εὖ περὶ αὐτῶν βουλευέσεσθε, εἰ δὲ μή,
χείροσι τοῖς ἄλλοις πολίταις χρήσεσθε. ἔτι δέ,
ὦ ἄνδρες Ἀθηναῖοι, ἂν αὐτῶν ἀποψηφίσσησθε,
οὐδεμίαν ὑμῖν εἴσονται χάριν, ἀλλὰ τοῖς ἀνηλω- 125
μένοις καὶ τοῖς χρήμασιν οἷς ὑφῆρηνται· ὥστε
τὴν μὲν ἔχθραν ὑμῖν αὐτοῖς καταλείψετε, τῆς δὲ
17 σωτηρίας ἐκείνοις εἴσονται χάριν. καὶ μὲν δὴ,
ὦ ἄνδρες Ἀθηναῖοι, καὶ οἱ Ἀλικαρνασσεῖς καὶ οἱ
ἄλλοι οἱ ὑπὸ τούτων ἡδικημένοι, ἂν μὲν παρὰ 130
τούτων τὴν μεγίστην δίκην λάβητε, νομιοῦσιν
ὑπὸ τούτων μὲν ἀπολωλέναι, ὑμᾶς δὲ αὐτοῖς
βεβοηθηκέναι· ἐὰν δὲ τούτους σώσητε, ἡγήσονται
καὶ ὑμᾶς ὁμογνώμονας γεγονέναι τοῖς αὐτοῖς

³ ποιήσωσιν, al. ποιήσουσι.⁴ Al. ὅτε γὰρ ἡγήσαμεθα.

135 προδεδωκόσιν. ὥστ' ἄξιον τούτων ἀπάντων
 ἐνθυμηθέντας ἅμα τοῖς τε φίλοις τοῖς ὑμετέροις
 ἀποδοῦναι χάριν καὶ παρὰ τῶν ἀδικούντων τὴν
 δίκην λαβεῖν.

ORATION XV. [30.]

FOR THE PROSECUTION. AGAINST NIKOMACHUS
 FOR FAILING TO GIVE ACCOUNT OF HIS OFFICE
 (δίκη ἀλογίου). BEFORE THE TEN LOGISTAE.

§ 1. *If public services may be pleaded in mitigation of punishment, the reverse ought to have weight in its aggravation. To say nothing of Nikomachus's servile origin, his offences in his public capacity have been outrageous. He was originally [B.C. 410] appointed commissioner [νομοθέτης] to transcribe the laws of Solon,—which was to be done within four months. He thereupon took upon himself to alter, abridge, or erase them; and instead of four months drew daily pay for six years. The business of the Courts meanwhile was thrown into the utmost confusion. And now he has committed a similar offence (1) in taking four years to do what he was appointed [B.C. 403] to do in one month; (2) in performing the task in a wholly different spirit from that in which you intended it; (3) in refusing to submit to the usual public audit. What presumption in one who is in fact a public slave!*

Ἦδη, ὦ ἄνδρες δικασταί, τινὲς εἰς κρίσιν
 καταστάντες ἀδικεῖν μὲν ἔδοξαν, ἀποφαίνοντες
 δὲ τὰς τῶν προγόνων ἀρετὰς καὶ τὰς σφετέρας
 αὐτῶν εὐεργεσίας συγγνώμης ἔτυχον παρ' ὑμῶν.
 5 ἐπεὶ δὲ τοίνυν καὶ τῶν ἀπολογουμένων ἀποδέχ-

εσθε, εἴαν τι ἀγαθὸν φαίνωνται τὴν πόλιν πεποιη-
 κότες, ἀξιῶ καὶ τῶν κατηγορῶν ὑμᾶς ἀκροάσασθαι,
 εἴαν ἀποφαίνωσι τοὺς φεύγοντας πάλαι πονηροὺς
 2 ὄντας. ὅτι μὲν τοίνυν ὁ πατὴρ ὁ Νικομάχου
 δημόσιος ἦν, καὶ οἷα νέος ὢν οὗτος ἐπετήδευσε, 10
 καὶ ὅσα ἔτη γεγωνῶς εἰς τοὺς φράτορας εἰσήχθη,
 πολὺ ἂν ἔργον εἴη λέγειν· ἐπειδὴ δὲ τῶν νόμων
 ἀναγραφεὺς ἐγένετο, τίς οὐκ οἶδεν οἷα τὴν πόλιν
 ἐλυμήνατο; προσταχθὲν γὰρ αὐτῷ τεσσάρων
 μηνῶν ἀναγράψαι τοὺς νόμους τοὺς Σόλωνος, 15
 ἀντὶ μὲν Σόλωνος αὐτὸν νομοθέτην κατέστησεν,
 ἀντὶ δὲ τέτταρων μηνῶν ἐξέτη τὴν ἀρχὴν ἐποιή-
 σατο, καθ' ἐκάστην δὲ ἡμέραν ἀργύριον λαμβάνων
 3 τοὺς μὲν ἐνέγραφε τοὺς δὲ ἐξήλειφεν. εἰς τοῦτο
 δὲ κατέστημεν ὥστε ἐκ τῆς τούτου χειρὸς ἐτετα- 20
 μεύμεθα τοὺς νόμους· καὶ οἱ ἀντίδικοι ἐπὶ τοῖς
 δικαστηρίοις ἐναντίους παρείχοντο, ἀμφοτέροι
 παρὰ Νικομάχου φάσκοντες εἰληφέναι. ἐπιβαλ-
 λόντων δὲ τῶν ἀρχόντων ἐπιβολὰς καὶ εἰσαγόν-
 των εἰς τὸ δικαστήριον οὐκ ἠθέλησε παραδοῦναι 25
 τοὺς νόμους· ἀλλὰ πρότερον ἢ πόλις εἰς τὰς
 μεγίστας συμφορὰς κατέστη, πρὶν τοῦτον ἀπαλ-
 λαγήναι τῆς ἀρχῆς καὶ τῶν πεπραγμένων εὐθύνας
 4 ὑποσχεῖν. καὶ γάρ τοι, ὦ ἄνδρες δικασταί,
 ἐπειδὴ ἐκείνων δίκην οὐ δέδωκεν, ποίαν * καὶ νῦν 30
 τὴν ἀρχὴν κατεστήσατο; ὅστις πρῶτον μὲν
 τέτταρα ἔτη ἀνέγραψεν, ἐξὸν αὐτῷ τριάκοντα
 ἡμερῶν ἀπαλλαγήναι· ἔπειτα διωρισμένον ἐξ
 ὧν ἔδει ἀναγράφειν, αὐτὸν ἀπάντων κύριον ἐποι-

* ποίαν dedi. Francken ὁρᾷ' οἷαν. Schottius ὁμοίαν. Vulgo
 ὁποίαν.

35 ἦσατο, καὶ τοσαῦτα¹ διαχειρίσας μόνος οὗτος
 τῶν ἀρξάντων εὐθύνας οὐκ ἔδωκεν· ἀλλ' οἱ 5
 μὲν ἄλλοι τῆς αὐτῶν ἀρχῆς κατὰ πρυτανείαν
 λόγον ἀναφέρουσι, σὺ δέ, ὦ Νικόμαχε, οὐδὲ
 τεττάρων ἐτῶν ἡξίωσας ἐγγράψαι, ἀλλὰ μόνῳ
 40 σοὶ τῶν πολιτῶν ἐξεῖναι νομίζεις ἄρχειν πολὺν
 χρόνον, καὶ μήτε εὐθύνας διδόναι μήτε τοῖς
 ψηφίσμασι πείθεσθαι μήτε τῶν νόμων φροντίζειν,
 ἀλλὰ τὰ μὲν ἐγγράφεις τὰ δ' ἐξαλείφεις, καὶ εἰς
 τοῦτο ὕβρεως ἤκεις ὥστε σαυτοῦ νομίζεις εἶναι
 45 τὰ τῆς πόλεως, αὐτὸς δημόσιος ὢν. ὑμᾶς τοίνυν 6
 χρή, ὦ ἄνδρες δικασταί, ἀναμνησθέντας καὶ τῶν
 προγόνων τῶν Νικομάχου, οἵτινες ἦσαν, καὶ οὗτος
 ὡς ἀχαρίστως ὑμῖν προσενήνεκται παρανομήσας,
 κολάσαι αὐτόν, καὶ ἐπειδὴ ἐνὸς ἐκάστου δίκην
 50 οὐκ εἰλήφατε, νῦν ὑπὲρ ἀπάντων γε αὐτῶν τὴν
 τιμωρίαν ποιήσασθε.

§ 2. *Having no case, he will vilify me. He will say that I was one of the Four Hundred; whereas, in fact, I was not even put in the list of the Five Thousand. Nor has he clean hands. He was the author of that infamous decree by which the Oligarchy was enabled to condemn Cleophon, who with all his faults was loyal to the Democracy. Cleophon might deserve death on other accounts; it was, however, for his loyalty to the Democracy, not for his crimes, that the Thirty put him to death. Nikomachus was the man who put it in their power to do so, and thus really aided the Revolution. We may say, in short,—he banished the Democracy, the Democracy restored him.*

¹ *Scheibe* δσα cum notis verbi omissi. τοσαῦτα autem in Codice X legitur, et, punctu post ἔδωκεν posito, intelligi potest. *Francken* δσα οὐδεὶς πώποτε.

7 Ἰσως δέ, ὦ ἄνδρες δικασταί, ἐπειδὴν περὶ αὐτοῦ μηδὲν δύνηται ἀπολογεῖσθαι, ἐμὲ διαβάλλειν πειράσεται. τότε δὲ περὶ τῶν ἐμῶν τούτῳ ἀξιῶ πιστεύειν ὑμᾶς, ὁπόταν ἀπολογίας ἐμοὶ 55 δοθείσης μὴ δύνωμαι ψευδόμενον αὐτὸν ἐξελέγξαι. ἐὰν δ' ἄρα ἐπιχειρῇ λέγειν ἅπερ ἐν τῇ βουλῇ, ὡς ἐγὼ τῶν τετρακοσίων ἐγενόμην, ἐνθυμείσθε· τούτων τοιαῦτα λεγόντων ἐκ τῶν τετρακοσίων πλείον ἢ χίλιοι γενήσονται· καὶ γὰρ τοὺς ἔτι παῖδας 60 ὄντας ἐν ἐκείνῳ τῷ χρόνῳ καὶ τοὺς ἀποδημοῦντας οἱ διαβάλλειν βουλόμενοι ταῦτα λοιδοροῦσιν.

8 ἐγὼ δὲ οὕτω πολλοῦ ἐδέησα τῶν τετρακοσίων γενέσθαι, ὥστε οὐδὲ τῶν πεντακισχιλίων κατελέγην. δεινὸν δέ μοι δοκεῖ εἶναι ὅτι, εἰ μὲν περὶ 65 ἰδίων συμβολαίων ἀγωνιζόμενος οὕτω φανερώς ἐξήλεγχον αὐτὸν ἀδικοῦντα, οὐδ' ἂν αὐτὸς ἠξίωσε τοιαῦτα ἀπολογούμενος ἀποφεύγειν, νυνὶ δὲ περὶ τῶν τῆς πόλεως κρινόμενος οἰήσεται χρῆναι ἐμοῦ κατηγορῶν ὑμῖν μὴ δοῦναι δίκην. 70

9 Ἐπεὶ δὲ² θαυμαστὸν νομίζω Νικόμαχον ἑτέροις ὥς ἀδικοῦσι μνησικακεῖν ἀξιοῦν, ὃν ἐγὼ ἐπιβουλεύσαντα τῷ πλήθει ἀποδείξω. καὶ μου ἀκουσατε· δίκαιον γάρ, ὦ ἄνδρες δικασταί, περὶ τῶν τοιούτων ἀνθρώπων τὰς τοιαύτας κατηγορίας 75 ἀποδέχεσθαι, οἵτινες τότε συγκαταλύσαντες τὸν 10 δῆμον νυνὶ δημοτικοί φασιν εἶναι. ἐπειδὴ γὰρ ἀπολομένων τῶν νεῶν ἢ μετὰστασις ἐπράττετο, Κλεοφῶν τὴν βουλήν ἐλοιδόρει, φάσκων συνε-

² Vulgo legitur ἔτι δὲ οἶμαι. Sed οἶμαι . . νομίζω inepta tautologia est. Scheide malit νομίξεν. Francken delet νομίζω. Ex οἶμαι Bailler ὦ ἄνδρες δικασταί elicit.

- 80 στάναι καὶ οὐ τὰ βέλτιστα βουλεύειν τῇ πόλει.
 Σάτυρος δὲ Κηφισιεύς βουλεύων ἔπεισε τὴν
 βουλὴν δῆσαντας αὐτὸν παραδοῦναι δικαστηρίῳ.
 οἱ δὲ βουλόμενοι αὐτὸν ἀπολέσαι, δεδιότες μὴ ¹¹
 οὐκ ἀποκτείνωσιν ἐν τῷ δικαστηρίῳ, πείθουσι
- 85 Νικομαχίδην³ νόμον ἀποδείξαι ὥς χρὴ καὶ τὴν
 βουλὴν συνδικάζειν. καὶ ὁ πάντων οὗτος πονη-
 ρότατος οὕτω φανερώς συνεστασίασεν, ὥστε τῇ
 ἡμέρᾳ ἣ ἡ κρίσις ἐγένετο ἀποδείξαι τὸν νόμον.
 Κλεοφῶντος τοίνυν, ὦ ἄνδρες δικασταί, ἕτερα μὲν ¹²
- 90 ἂν τις ἔχοι κατηγορήσαι· τοῦτο δὲ παρὰ πάντων
 ὁμολογεῖται, ὅτι οἱ καταλύοντες τὸν δῆμον ἐκείνον
 ἐβούλοντο μάλιστα τῶν πολιτῶν ἐκποδῶν γενέ-
 σθαι, καὶ ὅτι Σάτυρος καὶ Χρέμων οἱ τῶν τριά-
 κοντα γενόμενοι οὐχ ὑπὲρ ὑμῶν ὀργιζόμενοι
- 95 Κλεοφῶντος κατηγοροῦν, ἀλλ' ἵνα ἐκείνον ἀπο-
 κτείναντες αὐτοὶ ὑμᾶς κακῶς ποιῶσι. καὶ ταῦτα ¹³
 διεπράξαντο διὰ τὸν νόμον δν Νικόμαχος ἀπέ-
 δειξεν, εἰκὸς τοίνυν, ὦ ἄνδρες δικασταί, ἐνθυ-
 μέισθαι καὶ ὅποσοι ὑμῶν ἐνόμιζον Κλεοφῶντα
- 100 κακὸν πολίτην εἶναι, ὅτι καὶ τῶν ἐν τῇ ὀλιγαρχίᾳ
 ἀποθανόντων ἴσως τις ἦν πονηρός, ἀλλ' ὅμως
 καὶ διὰ τοὺς τοιοῦτους ὠργίζεσθε τοῖς τριάκοντα,
 ὅτι οὐ τῶν ἀδικημάτων ἕνεκα ἀλλὰ κατὰ στάσιν
 αὐτοὺς ἀπέκτειναν. ἐὰν οὖν πρὸς ταῦτα απο- ¹⁴
- 105 λογήται, τοσοῦτον μέμνησθε, ὅτι ἐν τοιοῦτῳ
 καιρῷ τὸν νόμον ἀπέδειξεν ἐν ᾧ ἡ πολιτεία
 μεθίστατο, καὶ τούτοις χαριζόμενος οἱ τὸν δῆμον

³ Νικομαχίδην. Nisi Νικόμαχον legendum (id quod credo) titulus fortasse legis recitatur, e.g. Νικόμαχος Νικομαχίδης τάδ' εἶπεν.

κατέλυσαν, καὶ ταύτην τὴν βουλὴν συνδικάζειν
ἐποίησεν ἐν ᾗ Σάτυρος μὲν καὶ Χρέμων μέγιστον
ἐδύναντο, Στρομβιχίδης δὲ καὶ Καλλιάδης καὶ 110
ἕτεροι πολλοὶ καὶ καλοὶ κἀγαθοὶ τῶν πολιτῶν
ἀπώλλυντο.

- 15 Καὶ περὶ τούτων οὐδένα ἂν ἐποιησάμην λόγον,
εἰ μὴ ᾗσθανόμην αὐτὸν ὡς δημοτικὸν ὄντα πειρά-
σεσθαι παρὰ τὸ δίκαιον σώζεσθαι, καὶ τῆς 115
εὐνοίας τῆς εἰς τὸ πλῆθος τεκμηρίῳ χρησόμενον
ὅτι ἔφυγεν. ἐγὼ δὲ καὶ ἑτέρους ἂν ἔχοιμι
ἐπιδειξάμενος τῶν συγκαταλυσάντων τὸν δῆμον τοὺς
μὲν ἀποθανόντας, τοὺς δὲ φυγόντας τε καὶ οὐ
μετασχόντας τῆς πολιτείας, ὥστε οὐδένα εἰκὸς 120
16 αὐτῷ τούτου ὑπόλογον γένεσθαι. τοῦ μὲν γὰρ
ὑμᾶς φυγεῖν μέρος τι καὶ οὗτος συνεβάλετο, τοῦ
δὲ τούτου κατελθεῖν τὸ πλῆθος τὸ ὑμέτερον
αἷτιον ἐγένετο. ἔτι δὲ καὶ δεινόν, εἰ ὦν μὲν
ἄκων ἔπαθε χάριν αὐτῷ εἴσεσθε, ὦν δ' ἐκὼν 125
ἐξήμαρτε μηδεμίαν τιμωρίαν ποιήσεσθε.

§ 3. *His second charge against me, I hear, will be that of impiety. I, forsooth, abolished certain sacrifices! I answer that all I did was to move that the sacrifices performed should be those ordered by Solon's laws (τὰ ἐκ τῶν κύρβων). If he attacks this, he vilifies not me, but you who voted it. But in truth he, who by his alterations of the law tablets (κύρβεις) caused the public money to be so squandered on sacrifices not ordered as to be insufficient for those that were, is the impious man, not I.*

- 17 Πυνθάνομαι δὲ αὐτὸν λέγειν ὡς ἄσεβῶ κατα-
λύων τὰς θυσίας. ἐγὼ δ' εἰ μὲν νόμους ἐτίθην

- περὶ τῆς ἀναγραφῆς, ἡγούμην ἂν ἐξεῖναι Νικομάχῳ
 130 τοιαῦτα εἰπεῖν περὶ ἐμοῦ· νῦν δὲ τοῖς κοινοῖς καὶ
 κειμένοις ἀξιῶ τοῦτον πείθεσθαι. θαυμάζω δὲ εἰ
 μὴ ἐνθυμεῖται, ὅταν ἐμὲ φάσκη ἀσεβεῖν λέγοντα
 ὡς χρή θύειν τὰς θυσίας τὰς ἐκ τῶν κύρβεων καὶ
 τῶν στηλῶν κατὰ τὰς συγγραφάς, ὅτι καὶ τῆς
 135 πόλεως κατηγορεῖ· ταῦτα γὰρ ὑμεῖς ἐψηφίσασθε.
 ἔπειτα εἰ ταῦτα νομίζεις δεινὰ, ἥ που σφόδρα
 ἐκείνους ἡγῇ ἀδικεῖν, οἳ τὰ ἐκ τῶν κύρβεων μόνον
 ἔθουν. καίτοι, ὦ ἄνδρες δικασταί, περὶ εὐσεβείας 18
 οὐ παρὰ Νικομάχου χρή μανθάνειν, ἀλλ' ἐκ τῶν
 140 γεγενημένων σκοπεῖν. οἳ τοίνυν πρόγονοι τὰ ἐκ
 τῶν κύρβεων θύοντες μεγίστην καὶ εὐδαιμονεστά-
 την τῶν Ἑλληνίδων τὴν πόλιν παρέδοσαν, ὥστε
 ἄξιον ἡμῖν τὰς αὐτὰς ἐκείνοις θυσίας ποιεῖσθαι
 καὶ εἰ μὴδὲν δι' ἄλλο, τῆς τύχης ἕνεκα τῆς ἐξ
 145 ἐκείνων τῶν ἱερῶν γεγενημένης. πῶς δ' αὖν τις 19
 εὐσεβέστερος γένοιτο ἐμοῦ, ὅστις ἀξιῶ πρῶτον
 μὲν κατὰ τὰ πάτρια θύειν ἔπειτα ἂ μᾶλλον
 συμφέρει τῇ πόλει, ἔτι δὲ ἂ ὁ δῆμος ἐψηφίσατο
 καὶ δυνησόμεθα δαπανᾶν ἐκ τῶν προσιόντων
 150 χρημάτων; σὺν δέ, ὦ Νικόμαχε, τούτων τὰναν-
 τία πεποίηκας· ἀναγράψας γὰρ πλείω τῶν προσ-
 ταχθέντων αἵτιος γεγένησαι τὰ προσιόντα
 χρήματα εἰς ταῦτα μὲν ἀναλίσκεσθαι, ἐν δὲ ταῖς
 πατρίοις θυσίαις ἐπιλείπειν. αὐτίκα πέρυσιν 20
 155 ἱερὰ ἄθυτα τριῶν ταλάντων γεγένηται τῶν ἐν
 ταῖς κύρβεσι γεγραμμένων. καὶ οὐχ οἷόν τε
 εἰπεῖν ὡς οὐχ ἱκανὰ ἦν ἂ προσῆλθε τῇ πόλει·
 εἰ γὰρ οὗτος μὴ πλείω ἀνέγραψεν ἕξ ταλάντοις,

εἰς τε τὰς θυσίας τὰς πατρίους ἂν ἐξήρκεσε καὶ
τρία τάλαντα ἂν περιεγένετο τῇ πόλει. περὶ δὲ 160
τῶν εἰρημένων καὶ μάρτυρας ὑμῖν παρέξομαι.

EVIDENCE AS TO NIKOMACHUS'S ALTERATION OF
THE LAWS REGARDING THE PUBLIC SACRIFICES.

§ 4. *Now, if we only keep to the writings, we shall perform all traditional sacrifices; but if we follow the tablets (στήλας) which he has interpolated, we shall have to abandon many of those rites. These alterations were made, too, by him at a time when other public expenses—e.g. for harbours and walls—were unusually heavy. He was well aware, too, that an empty exchequer always entails confiscations and other troubles. He deserves punishment, and his ability as a speaker will make it all the more exemplary and salutary.*

- 21 Ἐνθυμείσθε τοίνυν, ὦ ἄνδρες δικασταί, ὅτι,
ὅταν μὲν κατὰ τὰς συγγραφὰς ποιῶμεν, ἅπαντα
τὰ πάτρια θύεται, ἐπειδὴν δὲ κατὰ τὰς στήλας
ἃς οὗτος ἀνέγραψε, πολλὰ τῶν ἱερῶν καταλύεται. 165
καίτοι οὗτος ὁ ἱερόσυλος περιτρέχει, λέγων ὡς
εὐσέβειαν ἀλλ' οὐκ εὐτέλειαν* ἀνέγραψε· καὶ εἰ
μὴ ταῦτα ὑμῖν ἀρέσκει, ἐξαλείφειν κελεύει, καὶ
ἐκ τούτων οἴεται πείθειν ὡς οὐδὲν ἀδικεῖ· ὃς ἐν
δυοῖν μὲν ἐτοῖν πλείω ἤδη τοῦ δέοντος δώδεκα 170
ταλάντοις ἀνάλωσε, παρ' ἑκάστον δὲ τὸν ἐνιαυτὸν
22 ἐπεχείρησεν ἕξ ταλάντοις τὴν πόλιν ζημιῶσαι,
καὶ ταῦτα ὁρῶν αὐτὴν ἀποροῦσαν χρημάτων καὶ
Λακεδαιμονίους μὲν ἀπειλοῦντας, ὅταν μὴ ἀπο-
πέμψωμεν αὐτοῖς τὰ χρήματα, Βοιωτοὺς δὲ 175

* W. εὐσεβεία . . ἐπ' εὐτελείᾳ.

- σύλας⁴ ποιουμένους, ὅτι οὐ δυνάμεθα δύο τά-
 λαντα ἀποδοῦναι, τοὺς δὲ νεωσοίκους καὶ τὰ
 τείχη περικαταρρέοντα, εἰδὼς δὲ ὅτι ἡ βουλή ἢ
 βουλευούσα,⁵ ὅταν μὲν ἔχῃ ἱκανὰ χρήματα εἰς
 180 διοίκησιν, οὐδὲν ἐξαμαρτάνει, ὅταν δὲ εἰς ἀπορίαν
 καταστῇ, ἀναγκάζεται εἰσαγγελίας δέχεσθαι καὶ
 δημεύειν τὰ τῶν πολιτῶν καὶ τῶν ῥητόρων τοῖς τὰ
 πονηρότατα λέγουσι πείθεσθαι. χρή τοίνυν, ὦ²³
 ἄνδρες δικασταί, μὴ τοῖς βουλευούσιν ἐκάστοτε
 185 ὀργίζεσθαι, ἀλλὰ τοῖς εἰς τοιαύτας ἀπορίας καθ-
 ιστᾶσι τὴν πόλιν. προσέχουσι τὸν νοῦν οἱ
 βουλόμενοι τὰ κοινὰ κλέπτειν, ὅπως Νικόμαχος
 ἀγωνιέται· οἷς ὑμεῖς, ἐὰν μὴ τοῦτον τιμωρή-
 σησθε, πολλὴν ἄδειαν ποιήσετε· ἐὰν δὲ κατα-
 190 ψηφισάμενοι τῶν ἐσχάτων αὐτῷ τιμήσητε, τῇ
 αὐτῇ ψήφῳ τοὺς τε ἄλλους βελτίους ποιήσετε καὶ
 παρὰ τούτου δίκην εἰληφότες ἔσεσθε. ἐπίστασθε²⁴
 δέ, ὦ ἄνδρες δικασταί, ὅτι παράδειγμα τοῖς ἄλλοις
 ἔσται μὴ τολμᾶν εἰς ὑμᾶς ἐξαμαρτάνειν οὐχ ὅταν
 195 τοὺς ἀδυνάτους εἰπεῖν κολάζητε, ἀλλ' ὅταν παρὰ
 τῶν δυναμένων λέγειν δίκην λαμβάνητε. τίς οὖν
 τῶν ἐν τῇ πόλει ἐπιτηδειότερος Νικομάχου δοῦναι
 δίκην; τίς ἐλάττω τὴν πόλιν ἀγαθὰ πεποίηκεν
 ἢ πλείω ἠδίκηκεν; ὃς καὶ τῶν ὁσίων καὶ τῶν²⁵
 200 ἱερῶν ἀναγραφεὺς γενόμενος εἰς ἀμφότερα ταῦτα
 ἡμάρτηκεν. ἀναμνήσθητε δὲ ὅτι πολλοὺς ἤδη
 τῶν πολιτῶν ἐπὶ κλοπῇ χρημάτων ἀπεκτείνετε.
 καίτοι ἐκεῖνοι μὲν τοσοῦτον μόνον ὑμᾶς ἔβλαψαν
 ὅσον ἐν τῷ παρόντι, οὗτοι δ' ἐπὶ τῇ τῶν νόμων

⁴ σύλας, al. σύλα.⁵ ἢ βουλευούσα, al. ἢ αἰ βουλευούσα.

ἀναγραφῇ καὶ τῶν ἱερῶν δῶρα λαμβάνοντες εἰς 205
ἅπαντα τὸν χρόνον τὴν πόλιν ζημιούσι.

§ 5. *He has, then, no public services to plead,—while you were out fighting he was at home forging laws. No advantages of descent,—his ancestry can give him no title except to the slave market. Nor will he be more grateful for acquittal than he has been for emancipation. He presume to make laws! Why, he disgraces even the position of an under clerk. He has no part or lot in the city, nor has he been loyal to it.*

26 Διὰ τί δ' ἂν τις ἀποψηφίσαιτο τούτου ;
πότερον ὡς ἀνδρὸς ἀγαθοῦ πρὸς τοὺς πολεμίους
καὶ πολλαῖς μάχαις καὶ ναυμαχίαις παραγεγενη-
μένου ; ἀλλὰ ὅτε ὑμεῖς ἐκινδυνεύετε ἐκπλέοντες, 210
οὗτος αὐτοῦ μένων τοὺς Σόλωνος νόμους ἐλυ-
μαίνεται. ἀλλ' ὅτι χρήματα δεδαπάνηκε καὶ
πολλὰς εἰσφοράς εἰσενήνοχεν ; ἀλλ' οὐχ ὅπως
ὑμῖν τῶν αὐτοῦ τι ἐπέδωκεν, ἀλλὰ καὶ τῶν
27 ὑμετέρων πολλὰ ὑφῆρηται. ἀλλὰ διὰ τοὺς 215
προγόνους ; ἤδη γάρ τινες καὶ διὰ τούτους συγ-
γνώμης ἔτυχον παρ' ὑμῶν. ἀλλὰ τούτῳ γε
προσῆκει διὰ μὲν αὐτὸν τεθνάναι, διὰ δὲ τοὺς
προγόνους πεπράσθαι. ἀλλ' ὡς, ἐὰν νῦν αὐτοῦ
φείσησθε, αὖθις ἀποδώσει τὰς χάριτας ; ὃς οὐδ' 220
ὦν πρότερον μετέλαβε παρ' ὑμῶν ἀγαθῶν μέμ-
νηται. καίτοι ἀντὶ μὲν δούλου πολίτης γεγένη-
ται, ἀντὶ δὲ πτωχοῦ πλούσιος, ἀντὶ δὲ ὑπόγραμ-
28 ματέως νομοθέτης. ἃ καὶ ὑμῶν ἔχοι ἂν τις
κατηγορήσῃ, ὅτι οἱ μὲν πρόγονοι νομοθέτας 225
ἤρουντο Σόλωνα καὶ Θεμιστοκλέα καὶ Περικλέα,

ἡγούμενοι τοιούτους ἔσεσθαι τοὺς νόμους οἱοί
 περ ἂν ὦσιν οἱ τιθέντες, ὑμεῖς δὲ Τισαμενὸν
 τὸν Μηχανίωνος καὶ Νικόμαχον καὶ ἑτέρους
 230 ἀνθρώπους ὑπογραμματέας· καὶ τὰς μὲν ἀρχὰς
 ὑπὸ τῶν τοιούτων ἡγείσθε διαφθείρεσθαι, αὐτοῖς
 δὲ τούτοις πιστεύετε. ὃ δὲ πάντων δεινότατον· 29
 ὑπογραμματεῦσαι μὲν οὐκ ἔξεστι δις τὸν αὐτὸν
 τῇ ἀρχῇ τῇ αὐτῇ, περὶ δὲ τῶν μεγίστων τοὺς
 235 αὐτοὺς ἑᾶτε πολλὸν χρόνον κυρίους εἶναι. καὶ
 τὸ τελευταῖον Νικόμαχον εἴλεσθε ἀναγράφειν τὰ
 πάτρια, ᾧ κατὰ πατέρα τῆς πόλεως οὐ προσήκει·
 καὶ ὃν ἔδει ὑπὲρ τοῦ δήμου κρίνεσθαι, οὗτος τὸν 30
 δῆμον συγκαταλύσας φαίνεται. νῦν τοίνυν ὑμῖν
 240 μεταμελησάτω τῶν πεπραγμένων, καὶ μὴ ὑπὸ
 τούτων* αἰὲ κακῶς πάσχοντες ἀνέχεσθε, μηδὲ ἰδίᾳ
 μὲν ὀνειδίζετε τοῖς ἀδικούσιν, ἐπειδὰν δ' ἐξῇ
 δίκην παρ' αὐτῶν λαμβάνειν, ἀποψηφίζεσθε.

§ 6. As to his supporters, they stand in need of a
 defence for themselves. At any rate you should be as
 eager to punish your foes as they to defend their friend.
 None of them have done as much good to the State as he
 has done harm. Having a bad case, they will bribe ; do
 not let that succeed.

Καὶ περὶ μὲν τούτων ἱκανά μοι τὰ εἰρημένα· 31
 245 περὶ δὲ τῶν ἐξαιτησομένων βραχέα πρὸς ὑμᾶς
 εἰπεῖν βούλομαι. παρεσκευασμένοι τινὲς εἰσι
 καὶ τῶν φίλων καὶ τῶν τὰ τῆς πόλεως πραττόν-
 των δεῖσθαι ὑπὲρ αὐτοῦ· ὦν ἐγὼ ἡγοῦμαι ἐνίοις
 προσήκειν ὑπὲρ τῶν ἑαυτοῖς πεπραγμένων ἀπολο-
 250 γεῖσθαι πολὺ μᾶλλον ἢ τοὺς ἀδικούντας σῶζειν

* W. τῶν ἀδικούντων. Al. τῶν αὐτῶν.

- 32 προαιρεῖσθαι. δεινὸν δέ μοι δοκεῖ εἶναι, ὡς
 ἄνδρες δικασταί, εἰ τούτου μὲν ἑνὸς ὄντος καὶ
 οὐδὲν ὑπὸ τῆς πόλεως ἡδίκημένου οὐκ ἐπεχέλησαν
 δεῖσθαι ὡς χρὴ παύσασθαι εἰς ὑμᾶς ἕξαμαρ-
 τάνοντα, ὑμᾶς δὲ τοσούτους ὄντας καὶ ἡδικη- 255
 μένους ὑπὸ τούτου ζητήσουσιν πείθειν⁶ ὡς οὐ
 33 χρὴ δίκην παρ' αὐτοῦ λαμβάνειν. χρὴ τοίνυν,
 ὥσπερ ἂν τούτους ὁρᾶτε προθύμως σώζοντας
 τοὺς φίλους, οὕτως καὶ ὑμᾶς τοὺς ἐχθροὺς
 τιμωρεῖσθαι, εὖ εἰδότας ὅτι τούτοις πρώτοις 260
 ἄνδρες ἀμείνους δόξετε εἶναι, ἐπὰν παρὰ τῶν
 ἀδικούντων δίκην λαμβάνητε. ἐνθυμεῖσθε δὲ
 ὅτι οὔτε Νικόμαχος οὔτε τῶν αἰτησομένων οὐδεὶς
 τοσαῦτα ἀγαθὰ πεποίηκε τὴν πόλιν, ὅσα οὗτος
 ἡδίκηκεν, ὥστε πολὺ μᾶλλον ὑμῖν προσήκει 265
 34 τιμωρεῖσθαι ἢ τούτοις βοηθεῖν. εὖ δ' εἰδέναι
 χρὴ τοὺς αὐτοὺς τούτους, ὅτι πολλὰ δεσθέντες
 τῶν κατηγορῶν ἡμᾶς μὲν οὐδαμῶς ἔπεισαν, τῆς
 δὲ ὑμετέρας ψήφου καταπειράσοντες εἰσεληλύ-
 θασιν εἰς τὸ δικαστήριον, καὶ ἐλπίζουσιν ὑμᾶς 270
 ἕξαπατήσαντες ἄδειαν εἰς τὸν λοιπὸν χρόνον
 35 λήψεσθαι τοῦ ποιεῖν ὃ τι ἂν βούλωνται. ἡμεῖς
 μὲν τοίνυν οὐκ ἠθελήσαμεν ὑπὸ τούτων ἀξιού-
 μενοι πεισθῆναι, τὸ δὲ αὐτὸ τοῦτο παρακαλοῦμεν
 ὑμᾶς, καὶ μὴ πρὸ τῆς κρίσεως μισοπονηρεῖν, ἀλλ' 275
 ἐν τῇ κρίσει τιμωρεῖσθαι τοὺς τὴν ὑμετέραν
 νομοθεσίαν ἀφανίζοντας· οὕτω γὰρ ἐννόμως
 διοικηθήσεται τὰ κατὰ τὴν πολιτείαν ἅπαντα.

⁶ πείθειν *Scheide*, sed *uncis inclusum*. *Al.* αἰτήσουσι.

ORATION XVI. [32.]

FOR THE PROSECUTION. AGAINST DIOGEITON FOR
MALADMINISTRATION OF THE PROPERTY OF HIS
WARDS.

§ 1. *The only excuse for bringing family differences into Court is the gravity of the issues involved. The claimants are my two brothers-in-law. When first asked to undertake their cause, I was for an arbitration; but the defendant was so obstinate and litigious that we were forced to bring the action.*

Εἰ μὲν μὴ μεγάλα ἦν, ὧ ἄνδρες δικασταί, τὰ
διαφέροντα, οὐκ ἂν ποτε εἰς ὑμᾶς εἰσελθεῖν τού-
τους εἶασα, νομίζων αἰσχιστον εἶναι πρὸς τοὺς
οἰκείους διαφέρεσθαι, εἰδὼς τε ὅτι οὐ μόνον οἱ
5 ἀδικοῦντες χεῖρους ὑμῖν εἶναι δοκοῦσιν, ἀλλὰ καὶ
οἷτινες ἂν ἔλαττον ὑπὸ τῶν προσηκόντων ἔχοντες
ἀνέχεσθαι μὴ δύνωνται· ἐπειδὴ μέντοι, ὧ ἄνδρες
δικασταί, πολλῶν χρημάτων ἀπεστέρηνται καὶ
πολλὰ καὶ δεινὰ πεπονθότες ὑφ' ὧν ἦκιστα
10 ἐχρῆν, ἐπ' ἐμὲ κηδεστὴν ὄντα κατέφυγον, ἀνάγκη
μοι γεγένηται εἰπεῖν ὑπὲρ αὐτῶν. ἔχω δὲ τού-
των μὲν ἀδελφήν, Διογεΐτονος δὲ θυγατρίδην, καὶ
πολλὰ δεηθεὶς ἀμφοτέρων τὸ μὲν πρῶτον ἔπεισα
αὐτοὺς τοῖς φίλοις ἐπιτρέψαι δίκαιαν, περὶ πολλοῦ
15 ποιούμενος τὰ τούτων πράγματα μηδένα τῶν
ἄλλων εἰδέναι· ἐπεὶ δὲ ὁ Διογεΐτων ἂ φανερώς
ἔχων ἐξηλέγχετο, περὶ τούτων οὐδενὶ τῶν αὐτοῦ

φιλων ἐτόλμα πείθεσθαι, ἀλλ' ἐβουλήθη καὶ
 φεύγειν δίκας καὶ μὴ οὔσας διώκειν καὶ ὑπομεῖναι
 τοὺς ἐσχάτους κινδύνους μᾶλλον ἢ τὰ δίκαια 20
 ποιήσας ἀπηλλάχθαι τῶν πρὸς τούτους ἐγκλη-
 3 μάτων, ὑμῶν δέομαι, ἐὰν μὲν ἀποδείξω οὕτως
 αἰσchrῶς αὐτοὺς ἐπιτετροπευμένους ὑπὸ τοῦ
 πάππου ὥς οὔδεις πώποτε ὑπὸ τῶν οὐδὲν προσ-
 ηκόντων ἐν τῇ πόλει, βοηθεῖν αὐτοῖς τὰ δίκαια, 25
 εἰ δὲ μή, τούτῳ μὲν ἅπαντα πιστεύειν, ἡμᾶς δὲ
 εἰς τὸν λοιπὸν χρόνον ἡγεῖσθαι χεῖρους εἶναι. ἐξ
 ἀρχῆς δ' ὑμᾶς περὶ αὐτῶν διδάξαι πειράσομαι.

§ 2. *There were two brothers, Diodotus and Diogeiton. Diodotus married his brother's daughter. After having by her a daughter and two sons, he died on foreign service. Before starting he made his will, leaving all his property to his brother, in trust for his wife and children, and appointed him their guardian. The property, of which he left a schedule, was as follows:—5 talents in money deposited with Diogeiton, 7 talents 40 minæ lent on bottomry, 20 minæ lent on mortgage in the Chersonese,—in all, 13 talents; besides household stuff. [He left also in his wife's hands for her immediate expenses 20 minæ and 30 Kyzikene staters.] By his will 1 talent was to be paid to his wife (who was to have the household stuff) as dowry on remarriage, and 1 talent to his daughter as dowry.*

4 Ἀδελφοὶ ἦσαν, ὧ ἄνδρες δικασταί, Διόδοτος
 καὶ Διογείτων ὁμοπάτριοι καὶ ὁμομήτριοι, καὶ 30
 τὴν μὲν ἀφανῆ οὐσίαν ἐνείμαντο, τῆς δὲ φανεράς
 ἐκοινώνουν. ἐργασαμένου δὲ Διοδότου κατ'
 ἐμπορίαν πολλὰ χρήματα πείθει αὐτὸν λαβεῖν
 Διογείτων τὴν ἑαυτοῦ θυγατέρα, ἥπερ ἦν αὐτῷ

35 μόνη· καὶ γίνονται αὐτῷ δύο υἱοὶ καὶ θυγάτηρ.
 χρόνῳ δὲ ὕστερον καταλεγείς Διόδοτος μετὰ 5
 Θρασύλου τοῦ ἐπὶ τῶν ὀπλιτῶν, καλέσας τὴν
 ἑαυτοῦ γυναῖκα, ἀδελφιδὴν οὖσαν, καὶ τὸν ἐκείνης
 μὲν πατέρα, αὐτοῦ δὲ κηδεστὴν καὶ ἀδελφὸν
 40 ὁμοπάτριον, πάππον δὲ τῶν παιδίων καὶ θεῖον,
 ἡγούμενος διὰ ταύτας τὰς ἀνάγκας οὐδενὶ μᾶλλον
 προσήκειν δικαίῳ περὶ τοὺς αὐτοῦ παῖδας ἐπι-
 τρόπῳ γενέσθαι, διαθήκην αὐτῷ δίδωσι καὶ πέντε
 τάλαντα ἀργυρίου παρακαταθήκην· ναυτικὰ δὲ 6
 45 ἀπεδείξεν ἐκδεδομένα ἑπτὰ τάλαντα καὶ τετταρά-
 κοντα μνᾶς, δισχιλίας δὲ ὀφειλομένας ἐν Χερ-
 ρονήσῳ. ἐπέσκηψε δέ, ἐάν τι πάθῃ, τάλαντον
 μὲν ἐπιδοῦναι τῇ γυναικὶ καὶ τὰ ἐν τῷ δωματίῳ
 δοῦναι, τάλαντον δὲ τῇ θυγατρὶ. κατέλιπε δὲ
 50 καὶ εἴκοσι μνᾶς τῇ γυναικὶ καὶ τριάκοντα στα-
 τήρας Κυζικηνούς. ταῦτα δὲ πράξας καὶ οἴκοι 7
 ἀντίγραφα καταλιπὼν ᾤχετο στρατευσόμενος
 μετὰ Θρασύλου.

§ 3. *Diodotus died at Ephesus. Diogeiton concealed his death for a time, and took possession of all documents, on the plea that they were wanted to get in the money out on bottomry. When the death was known, the widow and children went to Peiræus. Presently he gave the widow in marriage with 5000 drachmæ (1000 short), and sent the sons to Athens. After eight years, when the elder son came of age, he told the boys that their father had only left 20 minæ and 30 staters, and that these had been more than spent. In their distress they came to me. After much negotiation Diogeiton consented to a meeting. There the widow (his own daughter) reproached him with*

his dishonesty and unkindness, and proved from an account book which had accidentally come into her hands that he had acknowledged the receipt of the following sums on account of his brother :—7 talents 40 minæ, money lent on bottomry ; 1 talent 40 minæ lent on mortgage ; 20 minæ from other sources : in all, 9 talents 40 minæ,—besides payments in corn from the Chersonese. In spite of which he had grossly neglected the children. Her speech moved us all to tears.

Ἀποθανόντος δὲ ἐκείνου ἐν Ἐφέσῳ Διογείτων
τὴν μὲν θυγατέρα ἔκρυπτε τὸν θάνατον τοῦ 55
ἀνδρός, καὶ τὰ γράμματα λαμβάνει ἃ κατέλιπε
σεσημασμένα, φάσκων τὰ ναυτικὰ χρήματα δεῖν
8 ἐκ τούτων τῶν γραμματείων κομίσασθαι. ἐπεὶ
δὲ τῷ χρόνῳ ἐδήλωσε τὸν θάνατον αὐτοῖς καὶ
ἐποίησαν τὰ νομιζόμενα, τὸν μὲν πρῶτον ἐνιαυτὸν 60
ἐν Πειραιεῖ διητῶντο· ἅπαντα γὰρ αὐτοῦ κατε-
λέλειπτο τὰ ἐπιτήδεια· ἐκείνων δὲ ἐπιλειπόντων
τοὺς μὲν παῖδας εἰς ἄστὺ ἀναπέμπει, τὴν δὲ
μητέρα αὐτῶν ἐκδίδωσιν ἐπιδούς πεντακισχιλίας
δραχμάς, χιλίαις ἔλαττον ὧν ὁ ἀνὴρ αὐτῇ ἔδωκεν. 65
9 ὁ γδοφ δ' ἔτει δοκιμασθέντος μετὰ ταῦτα τοῦ
πρεσβυτέρου τοῖν μεираκίοιν, καλέσας αὐτοὺς
εἶπε Διογείτων ὅτι καταλίποι αὐτοῖς ὁ πατὴρ
εἴκοσι μνᾶς ἀργυρίου καὶ τριάκοντα στατήρας.
“ ἐγὼ οὖν πολλὰ τῶν ἐμαυτοῦ δεδαπάνηκα εἰς 70
τὴν ὑμετέραν τροφήν. καὶ ἔως μὲν εἶχον, οὐδέν
μοι διέφερε· νυνὶ δὲ καὶ αὐτὸς ἀπόρως διάκειμαι.
σὺ οὖν, ἐπειδὴ δεδοκίμασαι καὶ ἀνὴρ γεγένησαι,
σκόπει αὐτὸς ἤδη πόθεν ἔξεις τὰ ἐπιτήδεια.”
10 ταῦτ' ἀκούσαντες ἐκπεπληγμένοι καὶ δακρύοντες 75

ὄχοντο πρὸς τὴν μητέρα, καὶ παραλαβόντες
 ἐκείνην ἦκον πρὸς ἐμέ, οἰκτρῶς ὑπὸ τοῦ πάθους
 διακείμενοι καὶ ἀθλίως ἐκπεπτωκότες, κλαίοντες
 καὶ παρακαλοῦντές με μὴ περιδεῖν αὐτοὺς ἀπο-
 80 στερηθέντας τῶν πατρῶων μὴδ' εἰς πτωχείαν
 καταστάντας, ὑβρισμένους ὑφ' ὧν ἤκιστα ἐχρῆν,
 ἀλλὰ βοηθῆσαι καὶ τῆς ἀδελφῆς ἕνεκα καὶ σφῶν
 αὐτῶν. πολὺ ἂν εἴη ἔργον¹ λέγειν, ὅσον πένθος 11
 ἐν τῇ ἐμῇ οἰκίᾳ ἦν ἐν ἐκείνῳ τῷ χρόνῳ. τελευ-
 85 τῶσα δὲ ἡ μήτηρ αὐτῶν ἡντιβόλει με καὶ ἰκέτευε
 συναγαγεῖν αὐτῆς τὸν πατέρα καὶ τοὺς φίλους,
 εἰποῦσα ὅτι, εἰ καὶ πρότερον μὴ εἴθισται λέγειν
 ἐν ἀνδράσι, τὸ μέγεθος αὐτὴν ἀναγκάσει τῶν
 συμφορῶν περὶ τῶν σφετέρων κακῶν δηλῶσαι
 90 πάντα πρὸς ἡμᾶς. ἐλθὼν δ' ἐγὼ ἡγανάκτουν 12
 μὲν πρὸς Ἡγήμονα τὸν ἔχοντα τὴν τούτου θυγα-
 τέρα, λόγους δ' ἐποιοῦμην πρὸς τοὺς ἄλλους ἐπι-
 τηδείους, ἡξίουν δὲ τοῦτον εἰς ἔλεγχον ἵεναι περὶ
 τῶν πραγμάτων.* Διογείτων δὲ τὸ μὲν πρῶτον
 95 οὐκ ἤθελε, τελευτῶν δὲ ὑπὸ τῶν φίλων ἡναγκάσθη.
 ἐπειδὴ δὲ συνήλθομεν, ἤρετο αὐτὸν ἡ γυνή, τίνα
 ποτὲ ψυχὴν ἔχων ἀξιοῖ περὶ τῶν παίδων τοι-
 αύτῃ γνώμῃ χρῆσθαι, “ἀδελφὸς μὲν ὧν τοῦ
 πατρὸς αὐτῶν, πατήρ δ' ἐμός, θεῖος δὲ αὐτοῖς καὶ
 100 πάππος. καὶ εἰ μηδένα ἀνθρώπων ἡσχύνου, 13
 τοὺς θεοὺς ἐχρῆν σε” φησί “δεδιδέαι· ὃς ἔλαβες
 μὲν, ὅτ' ἐκεῖνος ἐξέπλει, πέντε τάλαντα παρ'
 αὐτοῦ παρακαταθήκην. καὶ περὶ τούτων ἐγὼ

¹ MSS. et vulg. πολλὰ ἂν εἴη λέγειν. Cobetus πολὺ ἂν ἔργον εἴη. Scheide secutus sum, * Ἀλ. χρημάτων.

θέλω τοὺς παῖδας παραστησαμένη καὶ τούτους
 καὶ τοὺς ὕστερον ἐμαυτῇ γενομένους ὁμόσαι ὅπου 105
 ἂν αὐτὸς λέγῃς.* καίτοι οὐχ οὕτως ἐγὼ εἰμι
 ἀθλία, οὐδ' οὕτω περὶ πολλοῦ ποιοῦμαι χρήματα,
 ὥστ' ἐπιорκήσασα κατὰ τῶν παίδων τῶν ἐμαυτῆς
 τὸν βίον καταλιπεῖν,² ἀδίκως δὲ ἀφελέσθαι τὴν
 14 τοῦ πατρὸς οὐσίαν·” ἔτι τοίνυν ἐξήλεγχεν αὐτὸν 110
 ἑπτὰ τάλαντα κεκομισμένον ναυτικὰ καὶ τετρα-
 κισχιλίας δραχμὰς, καὶ τούτων τὰ γράμματα
 ἀπέδειξεν· ἐν γὰρ τῇ διοικήσει, ὅτ' ἐκ Κολλυτοῦ
 διωκίζετο εἰς τὴν Φαίδρου οἰκίαν, τοὺς παῖδας
 ἐπιτυχόντας ἐκβεβλημένῳ τῷ βιβλίῳ ἐνεγκεῖν 115
 15 πρὸς αὐτήν. ἀπέφηνε δ' αὐτὸν ἑκατὸν μνᾶς
 κεκομισμένον ἐγγεῖφ³ ἐπὶ τόκῳ δεδανεισμένας,
 καὶ ἐτέρας δισχιλίας δραχμὰς καὶ ἑπιπλα πολλοῦ
 ἄξια· φοιτᾶν δὲ καὶ σίτον αὐτοῖς ἐκ Χερρονήσου
 καθ' ἑκαστον ἐνιαυτόν. “ἔπειτα σὺ ἐτόλμησας” 120
 ἔφη “εἰπεῖν, ἔχων τοσαῦτα χρήματα, ὥς δισχιλίας
 δραχμὰς ὁ τούτων πατὴρ κατέλιπε καὶ τριάκοντα
 στατήρας, ἅπερ ἐμοὶ καταλειφθέντα ἐκείνου τελευ-
 16 τήσαντος ἐγὼ σοι ἔδωκα ; καὶ ἐκβαλεῖν τούτους
 ἡξίωσας θυγατριδοὺς ὄντας ἐκ τῆς οἰκίας τῆς 125
 αὐτῶν ἐν τριβωνίοις, ἀνυποδήτους, οὐ μετὰ
 ἀκολούθου, οὐ μετὰ στρωμάτων, οὐ μετὰ ἱματίων,
 οὐ μετὰ τῶν ἐπίπλων ἃ ὁ πατὴρ αὐτοῖς κατέ-
 λιπεν, οὐδὲ μετὰ τῶν παρακαταθηκῶν ἃς ἐκείνος
 17 παρὰ σοὶ κατέθετο. καὶ νῦν τοὺς μὲν ἐκ τῆς 130
 μητρυιᾶς τῆς ἐμῆς παιδεύεις ἐν πολλοῖς χρήμασιν
 εὐδαίμονας ὄντας· καὶ ταῦτα μὲν καλῶς ποιεῖς·

* Αἱ. οὗτος λέγῃ.

² [κατα]λιπεῖν Scheibe. Dobr. vult λιπεῖν.
³ MSS. ἐγγέλους.

- τοὺς δ' ἐμοὺς ἀδικεῖς, οὓς ἀτίμους ἐκ τῆς οἰκίας
 ἐκβαλὼν ἀντὶ πλουσίων πτωχοὺς ἀποδείξαι
 135 προθυμῇ. καὶ ἐπὶ τοιούτοις ἔργοις οὔτε τοὺς
 θεοὺς φοβῇ, οὔτε ἐμέ τὴν σὴν θυγατέρα τὴν
 συνειδυῖαν αἰσχύνῃ, οὔτε τοῦ ἀδελφοῦ μέμνησαι,
 ἀλλὰ πάντας ἡμᾶς περὶ ἐλάττονος ποιῇ χρημά-
 των." τότε μὲν οὖν, ὦ ἄνδρες δικασταί, πολλῶν 18
 140 καὶ δεινῶν ὑπὸ τῆς γυναικὸς ῥηθέντων οὕτω
 διετέθημεν πάντες οἱ παρόντες ὑπὸ τῶν τούτῳ
 πεπραγμένων καὶ τῶν λόγων τῶν ἐκείνης, ὁρῶντες
 μὲν τοὺς παῖδας, οἷα ἦσαν πεπονθότες, ἀναμιμνη-
 σκόμενοι δὲ τοῦ ἀποθανόντος, ὥς ἀνάξιον τῆς
 145 οὐσίας τὸν ἐπίτροπον κατέλιπεν, ἐνθυμούμενοι
 δὲ ὥς χαλεπὸν ἐξευρεῖν ὅτῳ χρή περὶ τῶν ἑαυτοῦ
 πιστεῦσαι τινα, ὥστε, ὦ ἄνδρες δικασταί, μηδένα
 τῶν παρόντων δύνασθαι φθέγξασθαι, ἀλλὰ καὶ
 δακρύοντας μηδὲν ἡττον τῶν πεπονθότων ἀπιόντας
 150 οἴχεσθαι σιωπῇ.

Πρῶτον μὲν οὖν τούτων ἀνάβητέ μοι μάρτυρες.

EVIDENCE AS TO THE WIDOW'S STATEMENTS IN THE INTERVIEW WITH DIOGEITON.

§ 4. Such crimes are a fruitful source of mutual mis-
 trust and suspicion. His accounts show the most bare-
 faced extortion. Without giving any items, except a
 charge of 5 obols a day for food, he professes to have spent
 on the orphans, in eight years, 8 talents 10 minæ. [So
 that, deducting the two dowries from the 9 talents 40
 minæ, he would be 30 minæ out of pocket.] As specimens
 of his way of doing business, he paid 25 minæ for his

brother's tomb ; he entered it as 50, charging 25 to the orphans and 25 to himself. Again, he entered against them 8 drachmæ for a lamb at the Dionysia, which he professed was only half its cost ; and without giving items he charges them with 4 minæ for similar expenses at other festivals.

- 19 Ἀξιῶ τοίνυν, ὦ ἄνδρες δικασταί, τῷ λογισμῷ προσέχειν τὸν νοῦν, ἵνα τοὺς μὲν νεανίσκους διὰ τὸ μέγεθος τῶν συμφορῶν ἐλεήσητε, τοῦτον δ' ἅπασι τοῖς πολίταις ἄξιον ὀργῆς ἡγήσησθε. εἰς 155 τοσαύτην γὰρ ὑποψίαν Διογείτων πάντας ἀνθρώπους εἰς ἀλλήλους καθίστησιν, ὥστε μήτε ζῶντας μήτε ἀποθνήσκοντας μηδὲν μᾶλλον τοῖς οἰκειο-
- 20 τάτοις ἢ τοῖς ἐχθρίστοις πιστεύειν· ὃς ἐτόλμησε τὰ μὲν ἔξαρνος γενέσθαι, τὰ δὲ τελευτῶν ὁμολο- 160 γήσας ἔχειν, εἰς δύο παῖδας καὶ ἀδελφὴν λήμμα καὶ ἀνάλωμα ἐν ὀκτὼ ἔτεσιν ἑπτὰ τάλαντα ἀργυρίου καὶ τετρακισχιλίας δραχμὰς ἀποδείξαι. καὶ εἰς τοῦτο ἦλθεν ἀναισχυντίας, ὥστε οὐκ ἔχων ὅποι τρέψειε τὰ χρήματα, εἰς ὄψον μὲν 165 δυοῖν παιδίον καὶ ἀδελφῇ πέντε ὀβολοὺς τῆς ἡμέρας ἐλογίζετο, εἰς ὑποδήματα δὲ καὶ εἰς γναφεῖον καὶ εἰς κουρεῖον οὐκ ἦν αὐτῷ κατὰ μῆνα οὐδὲ κατ' ἐνιαυτὸν γεγραμμένα, συλλήβδην δὲ παντὸς τοῦ χρόνου πλείον ἢ τάλαντον ἀργυ- 170
- 21 ρίου. εἰς δὲ τὸ μνήμα τοῦ πατρὸς οὐκ ἀναλώσας πέντε καὶ εἴκοσι μνᾶς ἐκ πεντακισχιλίων δραχμῶν, τὸ μὲν ἡμισυ αὐτῷ τίθησι, τὸ δὲ τούτοις λελόγισται. εἰς Διονύσια τοίνυν, ὦ ἄνδρες δικασταί, (οὐκ ἄτοπον γάρ μοι δοκεῖ καὶ περὶ τούτου 175 μνησθῆναι) ἑκκαίδεκα δραχμῶν ἀπέφηνεν ἑωνη-

- μένον ἀρνίον, καὶ τούτων τὰς ὀκτὼ δραχμὰς
 ἐλογίζετο τοῖς παισίν· ἐφ' ᾧ ἡμεῖς οὐχ ἥκιστα
 ὠργίσθημεν. οὕτως, ὦ ἄνδρες, ἐν ταῖς μεγάλαις
 180 ζημίαις ἐνίοτε οὐχ ἥττον τὰ μικρὰ λυπεῖ τοὺς
 ἀδικουμένους· λίαν γὰρ φανερὰν τὴν πονηρίαν
 τῶν ἀδικούντων ἐπιδείκνυσιν. εἰς τοίνυν τὰς 22
 ἄλλας ἑορτὰς καὶ θυσίας ἐλογίσαστο αὐτοῖς πλέον
 ἢ τετρακισχιλίας δραχμὰς ἀνηλωμένας, ἕτερά τε
 185 παμπληθῆ, ἃ πρὸς τὸ κεφάλαιον συνελογίζετο,
 ὥσπερ διὰ τοῦτο ἐπίτροπος τῶν παιδίων κατα-
 λειφθεὶς, ἵνα γράμματα αὐτοῖς ἀντὶ χρημάτων
 ἀποδείξειε καὶ πενεστάτους ἀντὶ πλουσίων ἀπο-
 φήνεια, καὶ ἵνα, εἰ μὲν τις αὐτοῖς πατρικὸς ἐχθρὸς
 190 ἦν, ἐκείνου μὲν ἐπιλάβωνται, τῷ δ' ἐπιτρόπῳ τῶν
 πατρῶων ἀπεστερημένοι πολεμῶσι.

§ 5. Even by his own account he maintained the children on the capital, careless as to their being paupers when they grew up. Whereas he might either have farmed out the estate, or invested it in land, to maintain them on the income thus obtained. The fact is, he did not care for their interests, but just embezzled the money.

- Καίτοι εἰ ἐβούλετο δίκαιος εἶναι περὶ τοὺς 23
 παῖδας, ἐξῆν αὐτῷ, κατὰ τοὺς νόμους οἳ κεῖνται
 περὶ τῶν ὀρφανῶν καὶ τοῖς ἀδυνάτοις τῶν ἐπι-
 195 τρόπων καὶ τοῖς δυναμένοις, μισθῶσαι τὸν οἶκον
 ἀπηλλαγμένος πολλῶν πραγμάτων, ἢ γῆν πριά-
 μενος ἐκ τῶν προσιόντων τοὺς παῖδας τρέφειν·
 καὶ ὁπότερον τούτων ἐποίησεν, οὐδενὸς ἂν ἥττον
 Ἀθηναίων πλούσιοι ἦσαν. νῦν δέ μοι δοκεῖ

οὐδεπώποτε διανοηθῆναι ὥς φανεράν καταστήσων 200
τὴν οὐσίαν, ἀλλ' ὥς αὐτὸς ἔξων τὰ τούτων,
ἡγούμενος δεῖν τὴν αὐτοῦ πονηρίαν κληρονόμον
εἶναι τῶν τοῦ τεθνεώτος χρημάτων.

§ 6. *Here are two more instances of dishonesty in his accounts:—(1) He was serving a trierarchy with Alexis, —his share being, he says, 48 minæ. Of this he charged 24 minæ to the orphan's estate, 24 to himself [though the law especially exempts them even for a year after their δοκιμασία]. But we found on inquiry that his whole contribution had been only 24 minæ! (2) He sent a vessel with a cargo to the Adriatic, telling the widow that it was at the risk of the children's estate. But when the vessel returned safe, he claimed the whole as his own.*

24 Ὁ δὲ πάντων δεινότατον, ὦ δικασταί· οὗτος
γὰρ συντριηραρχῶν Ἀλέξειδι τῷ Ἀριστοδίκου, 205
φάσκων δυοῖν δεούσας πεντήκοντα μνᾶς ἐκείνῳ
συμβαλέσθαι, τὸ ἡμισυ τούτων αὐτοῖς⁴ ὀρφανοῖς
οὔσι λελόγισται, οὓς ἡ πόλις οὐ μόνον παῖδας
ὄντας ἀτελεῖς ἐποίησεν, ἀλλὰ καὶ ἐπειδὴν δοκι-
μασθῶσιν ἐνιαυτὸν ἀφῆκεν ἀπασῶν τῶν λειτουρ- 210
γιῶν. οὗτος δὲ πάππος ὢν παρὰ τοὺς νόμους
τῆς ἑαυτοῦ τριηραρχίας παρὰ τῶν αὐτοῦ θυγα-
25 τριδῶν τὸ ἡμισυ πρᾶττεται. καὶ ἀποπέμψας
εἰς τὸν Ἀδρίαν ὀλκάδα δυοῖν ταλάντοιιν, ὅτε μὲν
ἀπέστελλεν, ἔλεγε πρὸς τὴν μητέρα αὐτῶν ὅτι 215
τῶν παίδων ὁ κίνδυνος εἴη, ἐπεὶ δὲ ἐσώθη καὶ
ἐδιπλασίασεν, αὐτοῦ τὴν ἐμπορίαν ἔφασκεν εἶναι.
καίτοι εἰ μὲν τὰς ζημίας τούτων ἀποδείξει, τὰ

⁴ αὐτοῖς Scheibe. AL τοῖς.

δὲ σωθέντα τῶν χρημάτων αὐτὸς ἔξει, ὅποι μὲν
 220 ἀνήλωται τὰ χρήματα, οὐ χαλεπῶς εἰς τὸν λόγον
 ἐγγράψει, ῥαδίως δὲ ἐκ τῶν ἀλλοτρίων αὐτὸς
 πλουτήσει. καθ' ἕκαστον μὲν οὖν, ὃ δικάσται, 26
 πολὺ ἂν εἴη ἔργον πρὸς ὑμᾶς λογίζεσθαι· ἐπειδὴ
 δὲ μόλις παρ' αὐτοῦ παρέλαβον τὰ γράμματα,
 225 μάρτυρας ἔχων ἡρώτων Ἀριστόδικον τὸν ἀδελφὸν
 τὸν Ἀλέξιδος (αὐτὸς γὰρ ἐτύγχανε τετελευτηκώς)
 εἰ ὁ λόγος αὐτῷ εἴη τῆς τριηραρχίας· ὁ δὲ ἔφασ-
 κεν εἶναι, καὶ ἐλθόντες οἴκαδε εὔρομεν Διογείτονα
 τέτταρας καὶ εἴκοσι μνᾶς ἐκείνῳ συμβεβλημένον
 230 εἰς τὴν τριηραρχίαν. οὗτος δὲ ἀπέδειξε δυοῖν 27
 δεούσας πεντήκοντα μνᾶς ἀνηλωκέναι, ὥστε τού-
 τοις λελογίσθαι ὅσον περ ὅλον τὸ ἀνάλωμα αὐτῷ
 γεγένηται. καίτοι τί αὐτὸν οἶεσθε πεποιηκέναι
 περὶ ὧν αὐτῷ οὐδεὶς σύνοιδεν ἀλλ' αὐτὸς μόνος
 235 διεχείριζεν, ὃς ἂ δι' ἐτέρων ἐπράχθη καὶ οὐ
 χαλεπὸν ἦν περὶ τούτων πυθέσθαι, ἐτόλμησε
 ψευδάμενος τέτταρσι καὶ εἴκοσι μναῖς τοὺς αὐτοῦ
 θυγατρίδοὺς ζημιῶσαι ; Καί μοι ἀνάβητε τούτων
 μάρτυρες.

EVIDENCE AS TO DIOGEITON'S CHARGES IN HIS TRIERARCHY.

§ 7. *But take his own account. He acknowledges the receipt of 7 talents 40 minæ [i.e. 9 talents 40 minæ, less the two dowries]. I will say nothing of interest accruing. Now, two boys and their paedagogos, a girl and her maid, would, reckoning with unusual liberality, cost 1000 drachmæ a year to maintain, which in eight years*

would amount to 1 talent 20 minæ. The balance in their favour, therefore, should be 6 talents 20 minæ. Where is it? There is no pretence of robbery, loss, or a payment of creditors.

- 28 Τῶν μὲν μαρτύρων ἀκηκόατε, ὦ δικασταί· 240
 ἐγὼ δ' ὅσα τελευτῶν ὠμολόγησεν αὐτὸς ἔχει
 χρήματα, ἑπτὰ τάλαντα καὶ τετταράκοντα μνᾶς,
 ἐκ τούτων αὐτῶν λογιούμεαι, πρόσδοτον μὲν οὐδε-
 μίαν ἀποφαίνων, ἀπὸ δὲ τῶν ὑπαρχόντων ἀνα-
 λίσκων, καὶ θήσω ὅσον οὐδεὶς πώποτε ἐν τῇ 245
 πόλει, εἰς δύο παῖδας καὶ ἀδελφὴν καὶ παιδαγωγὸν
 καὶ θεράπαιναν χιλίας δραχμὰς ἐκάστου ἐνιαυτοῦ,
 μικρῷ ἔλαττον ἢ τρεῖς δραχμὰς τῆς ἡμέρας ἐν
 29 ὀκτῶ αὐταὶ ἔτεσι γίνονται ὀκτακισχιλίας δραχμαί,
 καὶ ἀποδείκνυνται ἕξ τάλαντα περιόντα τῶν ἑπτὰ 250
 ταλάντων καὶ εἴκοσι μναῖ. οὐ γὰρ ἂν δύναίτο
 ἀποδείξαι οὐθ' ὑπὸ τῶν ληστῶν ἀπολωλεκώς
 οὔτε ζημίαν εἰληφώς οὔτε χρήσταις ἀποδεδωκώς.

• • •

The references in the Notes are by Oration and Line as numbered in this edition, unless it is especially stated to be otherwise.

Hermann refers to C. F. Hermann's 'Manual of the Political Antiquities of Greece.' English translation. 1836.

Cobet to 'Variæ Lectiones' of C. G. Cobet. 1873.

Boeckh. refers to 'Public Economy of Athens,' translated by G. C. Lewis. 1842.

The grammatical references are as follow :—

Goodwin, with section (§), refers to Professor Goodwin's 'Elementary Greek Grammar.' Macmillan and Co. 1880.

Goodwin, M. and T., to the same writer's Greek 'Moods and Tenses.' 1872 and 1889.

Madvig to Browne's translation of Madvig's 'Syntax of the Greek Language.' 2d Ed. 1873.

Clyde to Dr. J. Clyde's 'Greek Syntax.' 1870.

Donaldson to J. W. Donaldson's 'Complete Greek Grammar.' 1862.

Veitch to W. Veitch's 'Greek Verbs.' 1871.

Rutherford to 'The New Phrynichus.' 1881.

For Philological information reference is made to Curtius' 'Principles of Greek Etymology,' Wilkins and England's Translation, 1875 ; the references being by the numbers in the margin.

NOTES.

ORATION I. [5.]

[What particular act of impiety Kallias had been charged with we do not know. Nor, as far as the understanding of this speech goes, does it matter. It is spoken as a supplement to his regular defence, and dwells entirely on two points generally applicable to many defences : (1) the presumption in favour of his innocence to be drawn from his well-known public character ; (2) the untrustworthy nature of the evidence against him, *i.e.* that of his own slaves.

The accused appears to have been a rich resident-alien (*μέτοικος*), —one of a class subject to much annoyance at Athens from litigious neighbours ; who among other disadvantages were liable for certain offences to forfeit their status (*τὸ σῶμα*) and become slaves. Professor Jebb conjectures, from the allusion in line 28 (*τῷ δημοσίῳ βοηθοῦντες*), that the particular sacrilege alleged was connected with the sacred Treasury on the Acropolis. Attic Orators, vol. i. pp. 287 *sq.*]

1. τοῦ σώματος *i.e.* 'freedom.' σῶμα is used of persons, especially in regard to their being free or not (*ἐλεύθερα σώματα, αἰχμάλωτα σώματα*), and so, like the Latin *caput*, it is here used for a man's *status* as a free man ; though it does not necessarily include, as *caput* does, the rights of a full citizenship, which the *metics* did not possess. Cf. Or. xii. § 12, εὖ εἰδὼς ὅντα δοῦλον εἰδέναι ἐγγυητὰς καταστήσας περὶ τοῦ σώματος ἀγωνίσασθαι.

περὶ 'about,' denoting the object to be obtained or defended, as in ἀμύνεσθαι περὶ πάτρης (Il. xii. 243).

3. καὶ τὰ εἰρημένα 'even the speeches already delivered,' *i.e.* by the counsel for Kallias. παρὰ τῶν ἄλλων for παρὰ denoting the agent with a *passive verb*, see Clyde, § 83, obs. 12. Donaldson, § 431 d₁.

νῦν δὲ 'but in the circumstances,'—referring to the reasons he is about to allege.

4. *καλεύοντας καὶ δεομένου* 'on his demand and urgent request.' Elsewhere the climax is *δέομαι ἀντιβολῶ καὶ ἱκετεύω*.

6. *συμβολαίων* 'business transactions.' In v. 98, *συμβολαία* means 'debts,' and in ix. 13, *λαχὼν παντὸς τοῦ συμβολαίου* = having obtained leave to bring in a suit for the recovery of the entire debt: but *συμβολαία* stands generally for any bargain or business engagement between two or more persons. For the technical meaning of *συμβολαία δίκαι*, so much disputed, see Jowett Thucyd. vol. ii. p. lxxxv.

7. *βοηθῆσαι Καλλίᾳ τὰ δίκαια* 'to assist Kallias as far as justice will warrant me.' *i.e.* so far as, and no further than he is in the right. Cf. xv. l. 25. 'Verbs which in themselves cannot govern an object accusative may take the neuter accusative of a pronoun or numeral adjective . . . and also another description of adjective which serves to characterise the *measure and extent* of an action.' Madv. § 27 a.

8. *ὥς ἄν δύνωμαι* 'as well as ever I can.' 'The subjunctive stands with relative words which take *ἄν*.'—Madv. 125. *ὥς* is the relative adverb answering to *πῶς*, 'how?' as *ὅποιος* to *ποῖος*, *ὅποσος* to *πόσος*, etc.

ἐνόμιζον μὲν οὖν 'well, then, I *used* to think.' The *μὲν* is answered by *νῦν δέ* in line 10, and is best represented in English by emphasising the word *used*, to contrast his former with his present opinion. Cf. iii. l. 11. The *οὖν* denotes the beginning of his argument as following on the remarks in the introductory sentences.

9. *οὕτω μετοικεῖν* 'that his conduct as a resident in this city was of such a nature,' *i.e.* so innocent and law-abiding. The metics or resident aliens formed in Athens a large and industrious class [calculated as 10,000 male adults in B.C. 309. Athen. vi. 272 c.] They paid a tax (*μετοίκιον*, 12 drachmæ per ann.) for the privilege of residing in the town, and were subject to public burdens and military service, though they were not admitted to serve as hoplites. Cf. v. l. 140, and Xen. de Vect. 2, 2. They were under disabilities also; they were unable to inherit landed property, and were obliged to have a regular patron (*προσδάτης*) to appear for them on all public occasions, and were liable for any offence against the various enactments concerning them to be sold as slaves. Hence it is that our orator says of Kallias that on his contest depends his freedom, *περὶ τοῦ σώματος ἀγωνίζεται*. See Boeckh, pp. 330-2.

11. *ἐπὶ τοιαύταις αἰτίαις* 'on such charges as this.' *ἐπὶ* with dative states the conditions on or in which.

12. *νῦν δὲ* answering to *ἐνόμιζον μὲν* 'whereas in reality.'

17. *τούτων* i.e. those who have already spoken or testified 2 for Kallias.

19. *ιδιώτης* here 'a private person' as opposed to an official, *ἀρχων*. Sometimes an 'unprofessional' person as opposed to a follower of any profession or trade, *δημιουργός*. Plat. Protag., 327 c.

21. *οὐδεμίαν δὲ σχῶν αἰτίαν* 'without having incurred any blame at all.' Cf. 11, 8. *ἔχει αἰτία τινα* or *ἔχει τις αἰτίαν* are equivalent phrases.

23. *πολλῶν κακῶν πεπειραμένοι* 'having gone through the experience of many miseries,' i.e. of slavery. Thucyd. 5, 69, 1. π. *δουλείας* (L. & Sc.) The argument implied is that men who had gone through all the miseries of slavery would have no scruples in making a bid for their liberty by a falsehood, knowing by experience that they could suffer nothing worse.

28. *ἐὰν . . ἔξαπατήσωσι* 'if they shall have succeeded in deceiving you.' *ἔσονται ἀπηλλαγμένοι* 'they will have escaped.'

'The fut. perfect marks an event as future in relation to the moment of speaking, but past in relation to some other event also future.' Clyde, § 35, obs. 1. Goodwin, § 29, note 3.

'In the conditional sentence the subjunctive aorist answers exactly to the perfect subj. in Latin.' Donald. § 427 b. See, however, the distinctions drawn by Goodwin, M. and T. §§ 90-91.

28-9. *τῶν παρόντων . . ἀπηλλαγμένοι* i.e. 'they will gain their freedom.' A slave when freed in Athens took the position of metec, and was subject to the same rules as to choosing a *προστάτης*, paying the *μετόκιον*, etc. It appears that slaves who by their information convicted their masters of an offence against the state might be rewarded by thus obtaining freedom.

30-1. *πιστοὺς* 'trustworthy.' *οἷτινες* 'when they are the sort of men who.' This variety of meaning which the Greek language can express by the change of relative, *οἷτινες* for *οἷ*, the Latins were forced to express by putting the verb in the subjunctive.

ἔσοι 'such only who.'

ποιοῦνται τοὺς λόγους 'make the allegations which they do make.' Cf. Or. iii. l. 6.

33. *τῷ δημοσίῳ βοηθοῦντες* 'while assisting the treasury.'

Thus Professor Jebb translates τῷ δημοσίῳ, a sense in which Demosthenes [Mid. § 182], uses it: cp. ὀφείλειν τῷ δημοσίῳ, Andoc. 1, 73. Cf. also Plutarch Them. 3 and 25, δημοσίων χρημάτων and συναχθέντων χρημάτων εἰς τὸ δημόσιον.

However, τὸ κοινόν is the usual word for the treasury, and τὸ δημόσιον is also used for 'the state.' See Aesch. in Ctes. § 234.

35. τούτων Kallias, his friends and supporters, as in l. 14.

37. οὐ γὰρ . . ἄλλους ἅπασιν 'for Kallias and his friends 3 are not the only men who own slaves. Every one else does also.'

θεράποντες not originally used properly of *slaves*. See Orat. ii. l. 105. Müller *Dorians*, vol. ii. p. 35. But slavery had become so universal in Greece, and so common was it for even the poorer families in Athens to have at least one slave for domestic purposes, that θεράπων had become synonymous with δούλος. Thucyd. iv. 16, 1, applies the word to the Spartan Helots, and Nicias uses it as equivalent to slave in his letter (Thucyd. vii. 13, 2). The number of slaves kept by the Athenians is strongly illustrated by the statement of Thucydides, that on the occupation of Deceleia by the Spartans (B.C. 413-12) 20,000 slaves had deserted to the enemy, mostly handicraftsmen, i.e. not domestic slaves, but slaves kept for the profit arising from their skill in various trades (Thucyd. vii. 27, 5), and this at a time when the numbers of those enjoying the full privileges of Athenian citizenship did not probably much exceed 20,000; and the whole number of the inhabitants of Athens and Attica was probably only about 500,000.

See Boeckh's *Econ.*, pp. 255-260.

39. ἀποβλέποντες 'fixing their attention on.' ἀποβλ. implies a turning *from* others wholly to some one particular object. οἷ, i.e. θεράποντες.

οὐκέτι . . μηνύσαντες 'will no longer look out to see by what good services to their masters they may gain freedom, but by laying what lying information against them they may do so.' ἄν belongs to the verb, not to ὃ τι. After μηνύσαντες supply ἐλεύθεροι γέγοντο from preceding clause. The μηνυταὶ had been especially busy in the period of the rule of the Thirty, and immediately before it. See vi. § 18 sq., and Grote, viii. 38.

ORATION II. [7.]

[This Oration is interesting as a curious illustration of the use made of the State religion for the protection of State property. A certain number of olive trees—one of the chief products of Attica—were the property of the State (*δημόσιαι*), though growing on lands of various private owners. These trees (*μωπλαί*) were known, and protected by the religious sentiment arising from the belief that they were all propagated (*μεμορημένοι*) from the sacred olive on the Acropolis. They were accordingly under the protection of the Court of the Areopagus, which had cognisance of cases of sacrilege. This Court appointed some of their own members [§ 7] as regular inspectors every month (*ἐπιμεληταί*) to see that they were not removed or injured, and to collect their fruit; and also commissioners (*γνώμονες*) every year to exercise a general supervision [see § 25]. Not only were the trees thus protected, but the stumps of such as had been destroyed by the enemy, or burnt by them or by accident or by lightning, were fenced in and could not be removed, or the ground on which they stood be worked [see on l. 163], without the guilt of sacrilege. This stump (and the enclosed place on which it stood) was called a *σηκός*.¹ It is a charge of this latter crime that is answered in this speech.

The reason of the preservation of such stumps was no doubt the chance of revival. The olive survives burning in a marvellous manner: see note on l. 160; Herod. 8, 55, and Pliny, H. N. 7, 241, *Oliva in totum ambusta revixit*. Pliny also attests the great age attained by olives, 16, 234. The value, moreover, attached to these olives may be better understood by remembering that Attica was a poor country, not productive to farmers (Xen. Vect. 1, 5), and drawing such wealth as it had from its olives and vines. One of the greatest dangers too to the country was the loss of trees generally, bringing with it loss of shade, water, and pasture [see Prof. Jebb, *Lectures on Modern Greece*, pp. 65-7]. In hot and comparatively woodless countries trees will always be noted and valued. So Homer refers to an evergreen-oak (*φηγός*) outside the Scaean Gates of Troy as a well-known mark and place of meeting [Il. v. 693, vi. 237, vii. 22, xi. 170]; and many single trees are referred to in the Old Testament as well known [see Stanley's *Jewish Church*, vol. i. pp. 60 and 270-1].

The original olive from which these *μωπλαί* were propagated was on the Acropolis; and Pausanias [fl. circ. A.D. 180] saw there one that was said to be the next oldest to it [i. 30, 2]; and mentioning elsewhere a certain ancient plane in Arcadia, said to have been

¹ Root sec, *σак*, 'make firm'; cf. *σάττω*, *σάκος*, *sancire*, *sacer*, and by labialism *sepes*.

planted by Menelaus when mustering his army, he takes occasion to enumerate the most ancient trees in their order of seniority :— (1) The willow (λύγος) in the Temple of Juno in Samos ; (2) The sacred oak at Dodona ; (3) The olive in the Acropolis, and one in Delos (the third place is also claimed by the Syrians for a bay-tree) ; (4) The aforesaid plane at Kaphyæ in Arcadia. [Paus. viii. 22, 6.] For a use of oil made from the *μορία* see Aristot. R. A. 60.

The suit is before the Boulè of the Areopagus, whose special province it was, as involving sacrilege. The name of the defendant does not appear, but he is an Athenian citizen (§ 41), and possessed of much property (§ 24).

The offence is said to have been committed in the archonship of Suniades, *i.e.* B.C. 397-6¹ (§ 11). But the defendant complains that a long time was allowed to elapse before the charge was brought (§ 42). See Professor Jebb, *Attic Orators*, vol. i. pp. 289-292.]

3. *πράγματα* 'vexatious business,' especially of the legal sort. 3 *νυνὶ δὲ* 'but as things have turned out with me.' This demonstrative *νυνὶ* is a mark of colloquial Greek, and accordingly is not found in the Tragedians.

4. *περιπέπτωκα* 'I have fallen in with.'

5-6. *καὶ τοὺς μὴ . . . ἔσεσθαι* 'that generations yet unborn must fear for what will happen to them.' A mere rhetorical exaggeration. Francken suggests a reference to some proverb.

9. *ἄπορος* 'perplexing,' because the charge had been varied, and therefore could not be wholly provided against.

10. *ἀπεγράφη* 'it was entered on the indictment against me.' *ἀπογράφειν τινα* 'to give in a copy of the charge against a man.' [We shall have hereafter to notice a more technical meaning of *ἀπογράφειν* and *ἀπογραφή*.]

11. *ἐλάαν* is here a *μορία* or *ἐλάα δημοσία*. See Introduction.

12. *τοὺς ἐωνημένους* 'the men who had bought from the State the produce of the sacred olive trees,' and would be likely therefore to know if one of them had been destroyed. *πυνθανόμενοι* 'with inquiries.'

14. *ἀδικοῦντα* 'guilty of any such fraud,' *i.e.* in cutting down 4 an olive. The temptation to such an act would be the gain of space, or the belief that the olive injured the vines, or was too

¹ Note that the Attic year, being calculated from summer solstice to summer solstice, will not exactly correspond with a year B.C.

near the dwelling-house [cf. § 14]. We can imagine that the presence of these trees might be objected to by an owner with exclusive ideas.

16. ἀπορωτάτην ἀπελέγξαι 'most difficult for me to refute.'

17. μᾶλλον . . λέγειν 'make any statement they choose with less fear of contradiction.'

18-21. καὶ δεῖ . . ἀγωνίσασθαι 'and I am obliged on matters, which they have brought into court fully prepared, to contend for the enjoyment of country and property, having only heard the charges at the same moment as you who are to decide the suit.' αἱ ὑμῖν τοῖς διαγνωσομένοις . . ἀκούσαντα 'having heard about the matter at the same time as you who are to judge,' i.e. not till I came into court. For περὶ πατρίδος καὶ τῆς οὐσίας ἄγων. cf. on i. 1. He means that the penalty, if he loses the suit, will be exile and forfeiture. His grievance is that the prosecutors have changed the counts in the indictment so close to the time of trial as to prevent his knowing what they precisely were.

23-25. These names recall the scenes of the first revolution, that of the Four Hundred. Peisander was the chief agent in that movement [B.C. 411-10], and when the counter-revolution took place he took refuge with the Spartans at Deceleia, and his property was forfeited. It was granted to Apollodorus for his part in the assassination of Phrynichus, one of the leaders of the extreme aristocratic party in the revolution. See Orat. vi. § 71; Thucyd. viii. 98.

28. εἰρήνης οὐδης 'after the troubles consequent upon the usurpation of the Thirty were over,' i.e. some time subsequent to the spring of B.C. 403. [ἐώνημαι Cob. Rauch. ὠνούμαι.]

33. οὐκ ἂν δικαίως ζημιούσθαι 'I should not justly be made⁵ to suffer for it.' ἂν with present or aor. infin. forms an apodosis, and here represents an imperfect indicative with ἂν in direct speech. Thus, omitting νομίζω, the sentence would be οὐδ' εἰ πάλαι ἐνήσαν μυρία οὐκ ἂν δικαίως ἐζημιούμην. Goodwin, § 211.

35. κινδυνεύειν 'to be called to account.'

37. καὶ ἄλλων . . καὶ τὰ μὲν κ.τ.λ. 'You know that among the many evils caused by the (Peloponnesian) war there was this, that while the parts remote from the city used to be devastated by the Lacedæmonians, the parts near it used to be

pillaged by our own people.' The yearly raids of the Spartans, crowned by their permanent occupation of Deceleia, are detailed in Thucydides. The panic caused by them drove the country people into the city, whose estates were thus often abandoned to every kind of pillage. See vii. 248, and Thucyd. ii. 18, 5; 19, 1-2; 47, 3-4. iii. 1, 1-2; 26, 2. vii. 18-19.

40. τῶν τῇ πόλει γεγενημένων συμφορῶν 'the damage done by our public disasters.' ὥστε at the beginning of a sentence marks a strong conclusion. See L. and Sc.

41. ἄλλως τε καὶ 'besides, the plot was also etc.'

42. δημευθέν ἀπρακτον ἦν πλεον ἢ τρία ἔτη 'was in consequence of its confiscation abandoned for more than three years.' The three years during which the vineyard was unworked seem to have been the two previous to the revolution and the year of the revolution itself, *i.e.* 406-403. The Attic year was counted from summer solstice to summer solstice.

45-46. ἐπίστασθε . . ἐπιμελίσθε. The Boulè is the senate of the Areopagus. ὅσοι 'especially those of you who act as inspectors [ἐπιμεληταί] of such properties.' The senate of Areopagus appear to have appointed inspectors (ἐπιμεληταί) every month to see to the safety of the μοῖραι and σηκοί; and 'collectors' (γνώμονες) each year to see that the produce of the former was duly gathered and sold. §§ 25, 29. W. and R. read ὅσω 'as you have the chief care.'

47. πολλὰ, *sc.* χῶρια, 'many vineyards,' or other enclosed and cultivated plots.

48. ἐκκέκοπται 'have been cleared.' ἐκκόπτειν may refer to the thing cut out, *i.e.* the trees, as in Xen. Hell. 6, 15, 37, ἐκκεκόφασι δένδρα; or, as here, to the place from which they were cut, as in Xen. Anab. 1, 4, 10, ἐκκόπτεται παράδεισος.

51. ἐτέρων ἐκκοψάντων 'when it was other people who cut them down.'

52. διὰ παντὸς τοῦ χρόνου 'at various times from one end of the period to the other.'

53. ἢ που χρὴ τοὺς γ' ἐν κ.τ.λ. 'much more must those who did not buy until the peace be held harmless by you.' For ἢ που followed by γε, and introducing an *à fortiori* argument, see Æschin. 39, 88, εἰ μηδεὶς ἀν' ὑμῶν ἐαυτὸν ἀναπλήσαι φόρου δίκαιου βούλοιο, ἢ που ἀδίκου γε φυλάξαιτ' ἂν. 'If no one would

like to infect himself with the guilt of a justifiable homicide, much more would he shrink from one that was unjustifiable.'

54. ἐν τῇ εἰρήνῃ. See above on l. 28. The peace, after the deposition of the Thirty, was arranged at Sparta in the spring of B.C. 403. See Appendix. ἀφ' ὑμῶν [for which Cobet would substitute ἐφ' ὑμῶν] = 'at your hands,' 'on your part.'

56. ἀλλὰ γάρ 'however' serves to dismiss the previous subject. The new matter is introduced by δέ, — ἐπεὶ δὲ κ.τ.λ. πρότερον 'before my purchase of the property.'

59. ἀπεμίσθωσα 'I let out.' Obs. μισθόω, 'I let;' μισθοῦμαι, 'I have let to me,' 'I hire.' If there is any difference between μισθόω and ἀπομισθόω, it is that in the latter the idea of alienation is emphasised.

60. ἐπὶ Πυθοδώρου ἀρχοντος 'in the archonship of Pythodorus,' i.e. B.C. 404-3. The counter-revolution took place in the spring of B.C. 403, late in Pythodorus's year; shortly after which event the purchase is made.

64. ἀπελευθέρῃ. A freedman was subject to the μετοίκιον, or alien's tax, with an addition of three obols [Boeck. p. 330], and was obliged to have a προστάτης, probably his former master if alive.

65. ὁμοίως 'in the same condition,' i.e. without such a σηκός. Others put the stop after τέθνηκε.

68. ὁ χρόνος οὗτος ἐξήκει 'at the end of this period,' i.e. at the end of the tenancy of Proteas. τοίνυν constantly used at the beginning of a new point in the argument.

69. ἐπὶ Σουινιάδου ἀρχοντος, i.e. in B.C. 397-6. It probably refers to the spring of B.C. 396. The spring equinox is the time to plant young olives, according to Pliny, H. N. 18, 254, and before doing so the ground would be cleared and prepared.

72. μεμισθωμένοι. The perf. pass. part. used as a middle, μισθοῦμαι being regarded as a middle deponent verb, Donald, § 350. Cf. εἰργασμένος, κεκτημένος, μεμνημένος, and many more. Observe the difference of tenses ἐργαζόμενοι and μεμισθωμένοι. The cultivation of the ground would be a continuous act, the hiring it in each case one act, now over and done with.

75. ἀ πρότερον μὴ ἦν. μὴ is used, not οὐ, because it is the statement not of a fact, but a supposition, 'if there were none to destroy before.' τὸν ὕστερον ἐργ. i.e. himself.

77-90. The argument is that no man of acuteness would have 7 acted as he is alleged to have done; and the prosecutors declare

him to be a man of acuteness. δεινὸν 'sharp.' ἀκριβή 'careful and accurate.' ἂν . . ποιῆσαι 'likely to have acted.' See note above on l. 33, and Goodwin, Moods and Tenses, § 41, 3.

83. εἴπερ . . ἐπεχείρουν 'since (as alleged) I was taking such matters in hand.' εἴπερ implies no doubt or condition. Here it is put with a proposition which he would deny, but which he grants for the sake of argument.

84-6. καὶ ὅτι . . καὶ ἤτις . . καὶ τί ἂν λαθὼν . . καὶ τί ἂν are all propositions dependent upon σκοπεῖν. The sense is, 'since I am so acute, at least pay me the compliment of supposing that I should examine the consequences of my actions.' τῷ ποιήσαντι = τῷ ἀφανίσαντι 'to one who did so,' i.e. cut down a σηκός. Kayser wished to read περιποιήσαντι 'to me if I preserved it.' τί ἂν λαθὼν διεπραξάμην 'what good I should have got if I had escaped detection.' διαπράσσεσθαι 'to accomplish for oneself.' φανερός γενόμενος 'If I had been detected.'

87-8. οὐχ ὕβρεως ἀλλὰ κέρδους ἕνεκα 'not from lawless insolence, but for some substantial advantage.' ὕβρις (for which it is difficult to find an exact English equivalent) is illegal conduct adopted from the instinct of lawlessness, and is here contrasted with illegal conduct pursued for the sake of private gain. So in Demosth. 67, 8, it is contrasted with δωροδοκία, 'corruption.'

89. τοὺς ἀντιδίκους 'the prosecutors.' ἀντίδικος is the party in a suit on the side opposite to the speaker, whichever that may be, though strictly it was only applied to the defendant.

ἐκ τούτων 'on the principles I have suggested.'

91. οὗτος the prosecutor, Nikomachus.

93. ὥς τὸ χωρίον μοι διαφθείρεται 'that the value of the vineyard is being lessened to me.' Observe the present tense in the midst of aorists and imperfects. In Greek the *time* can be thus varied to suit the various shades of meaning. If the σηκός existed, the injury, if there were one, would be continuous. The speaker puts himself in the place of one arguing at the time about an existing σηκός.

96. παρ' ὑμῖν 'before your court.' Al. ὑμῶν.

8

98-9. ὅς . . ἐξέκοπτον 'for I was cutting it down,' i.e. when they saw me. For this use of ὅς, cf. *infra*, l. 153; 6, 618.

ὥσπερ οὐ . . δέον 'as though, so far from keeping it a secret from everybody, it was necessary that all Athens should know it.' δέον, accus. absolute of neut. participle, Goodwin, § 278, 2.

102. *τις . . ἡμέλησε* 'one might have disregarded the passers-by.' *νὺν δὲ* 'but as it is.' *οὐ . . ἀλλὰ* 'not mere disgrace, but the most severe penalties.'

103. *περὶ αἰσχύνῃς . . ἐκινδύνεον* 'I was risking disgrace.' *κινδυνεύειν περὶ* is generally used with the genitive of the thing to be lost, not as here of the thing to be incurred. See 1, 1.

105-6. *θεράποντας . . δούλους*. The generic name for all attendants is *θεράπων* [Sansc. DHAR, *sustinere* Curt. 316], and in Homer it is directly contrasted with *δούλος*. See *infra*, l. 112 and 224, and on i. l. 37. Muller's *Dorians*, v. 2, p. 35.

107. *ὥστε εἰ . . λαμβάνειν* 'so that I could never punish them even for the most serious faults.' Because they could always turn on him with the threat of informing. This relation of master and slave may be compared with the complaint of Strepsiades in Arist. Nub. 6: *ἀπόλοιο δῆτ' ὦ πόλεμε, πολλῶν εἵνεκα | ὅτ' οὐδὲ κόλασ' ἐξεστὶ μοι τοὺς οἰκέτας*.

110. *ἐπ' ἐκείνοις ἦν* 'it was in their power.'

111. *αὐτοῖς . . γενέσθαι*. See note on i. l. 40.

112. *οἰκετῶν*. He uses *δούλος*, *θεράπων*, *οἰκέτης* indifferently. Strictly the first relates to a man's civil status as opposed to that of a freeman (*servus*), the two latter to the personal connection between the man and his master—(1) as his attendant (*minister*), (2) as a member of his household (*famulus*).

εἰ . . παρέστη . . μοι 'if it had entered into my head.' Cf. v. l. 429.

113. *τοσούτων . . συνειδότην* 'when so many persons had held it as tenants, and every one of them would have been in the secret.'

115. *προθεσμίας δὲ . . προσήκον . . σηκόν* 'and when, owing to the fact of there being no statute of limitations to cover the case, it equally concerned them all that a *σηκός* should be intact.' *προσήκον* [neut. acc. abs., see on l. 98] forms the main clause in apposition with *τασούτων . . συνειδότην*. Though prior in order, *προθεσμίας . . οὐδεμίας* is logically subsidiary and explanatory. *προθεσμία* 'a limit, fixed beforehand by law, beyond which a crime cannot be prosecuted.' See Orat. vi. § 83. Such a statute of limitations is appealed to by Demosthenes in the *De Corona*, 269, and again in the *In Nausimachum*, 993, where the prescribed time is five years; and this appears to

have been the regular period as well in regard to claims founded on what we should call civil law, as in the case of criminal prosecutions: see Demosth. *pro Phorm.* 952.

118. *ὃν εἰ τις . . . παρέδωκεν* 'that they might have been able, if any one had charged them with it, to transfer the charge to their successor in the tenancy.' *ὅνα* takes the secondary tenses of the indicative in final clauses where the end depends upon an unfulfilled condition. Goodwin, § 216, 3.

119. *νῦν δε*. See l. 102. *ἀπολύσαντες φαίνονται* 'they have evidently cleared me.' The argument is: all the tenants had an interest in fastening the charge on me to clear themselves; but they have not done so; thereby showing that they believed me innocent.

122. *τοίνυν* 'again,' introducing a second point, *i.e.* the allegation that he had 'squared' the matter with his tenants. See *supra*, l. 68.

παρεσκευασάμην 'I made a corrupt arrangement with.' This is the word specially used in such cases: cf. Dem. 853, *τοὺς μάρτυρας οὐ παρεσκευάσμεθα*. *Ib.* 852, *παρεσκευάσται μάρτυρας ψευδεῖς*. *Ib.* 1062, *πολλὰ καὶ ἀνάσχυντα παρεσκευάσαντο πρὸς τὸν ἀγῶνα*. *Infra*, vi. l. 80.

123. *πίσαι* *i.e.* 'bribe.' See l. 143.

126. *ἀποκρυπτόμεθα μηδὲνα εἰδέναι* 'we try to keep secret and from any one's knowledge.' *μηδὲνα εἰδέναι* = *ὥστε μηδὲνα εἰδέναι*. For *μη* with infinitive after verbs, containing a negative idea, such as *concealing*, etc., see Goodwin, § 283, 6. *ἀποκρύπτεσθαι* = 'dissimulare.' Thucydides uses it with a slightly different shade of meaning; ii. 53, 2, *ἂ πρότερον ἀπεκρύπτετο μὴ καθ' ἡδονὴν ποιεῖν*, 'things which before he used to pretend to have no pleasure in doing.' vii. 85, 2, *δοῦναι μὴ ἀπεκρύψαντο*, 'except those whom they pretended not to have caught.'

127. *ἐμοὶ τοίνυν*. Another point is that some of these neighbours are on no good terms with me. Why not have called some of them as witnesses?

130. *τολμηρὸς* 'made at a venture.'

132-3. *παρειστήκειν* 'I was standing by.' Obs. the tense, equivalent to imperfect, and in *ἐξέτεμνον*, in describing the scene. *ἀναθέμενος* 'having packed it on his cart.'

134. *χρῆν* seems in Attic to be a commoner form than *ἐχρῆν*;

see Veitch. For its construction, see Goodwin, § 222, note 2. Compare this *χρῆν παρακαλεῖν* with *ἐχρῆν παρασχέσθαι* just above. The aorist infinitive is used in the latter because it refers to a single action in the past, *i.e.* at the time of the trial. The present is used in the former because it refers to *repeated* action in the past, for *οἱ παριόντες* came at different times.

138. *ἦσθα ἂν με τιτιμωρημένος* 'you would now have had full vengeance on me.' For *ἂν* with pluperf., referring to an action finished in *present* time, see Goodwin, § 222; Moods and Tenses, § 410. *Madv. Synt.* § 117 a. It indicates a state, the possibility of which is over. *ἐτιμωρήσω ἂν* would have referred to the fact of his not having punished him at the time, without indicating the present effect of that omission. For the periphrastic form, *τιτιμωρημένος ἦσθα* for *ἐτετιμώρησο*, see Goodwin, § 118.

139. *οὕτως i.e.* by convicting me on the spot.

140. *συκοφάντης*, whatever its derivation, came to mean not merely a man who got up charges against others, true or false, but one who did so for personal profit.

143. *πίσαι* 'bribe.' See I. 123.

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144. *λόγους* 'mere assertions.'

145. *κατηγορεῖς* 'you assert in your speech for the prosecution.' In this sense *κατηγορεῖν* will take the accusative of the thing charged, *Dem.*, *παράνοιαν αὐτοῦ κατηγορεῖν*; or accusative and infinitive, *id.* *ψευδεῖς ἂν κατηγοροῦν εἶναι* [cf. the use of *defendere*]; or, as here, a simple sentence introduced by *ὥς* or *ὅτι*, as equivalent to *λέγειν*.

147. *φῆσας* ['a rare form' R. C. J., see Demosth. 607, § 48], 'when you said that you saw me,' is illogically put for 'when you saw me as you assert.' *Al.* *εἰ εὐθύς μ' ἰδών. W.* *εἰ φῆς μ' ἰδεῖν . . τί οὐ.* [Cf. the careless use of *quod diceret misisse* for *quod misisset*, and our 'he went away because he said it was late,' instead of 'because it was late, he said.']

148. *τοὺς ἐννέα ἄρχοντας*. It was the function of the Archons [in the case of murder, the King-Archon] to bring cases before the court of the Areopagus: and this passage seems to imply that they sat as judges in the court, but this is probably only true of the King Archon; and they did not become life-members until they had passed their *εὐθυναί* at the end of their year of office.

151. *οἱ περ* 'the very men who.' *οὕτω al.* *οὕτοι.*

152. *δαινότατα οὖν πάσχω* 'I am placed in a most unfair

dilemma.' The dilemma is this: 'If he had brought witnesses he would have claimed that they should be believed against me; bringing none he asserts that to be equally against me, as proving that I have deterred men by bribes or threats from coming forward.'

153. *ὅς*. If this word is to stand, it must refer to the accuser, who is by implication referred to in *δεινότατα οὖν πάσχω*, 'I am placed *by him* in a dilemma, for he,' etc.; for this explanatory use of *ὅς*, see above, l. 98.

155. *ζημίαν* 'disadvantage.' The point is given by the emphatic position of *ἐμοί* 'that I am to be the person to whom that disadvantage attaches, not himself who should naturally suffer for not bringing evidence.' Francken wished to omit *τήν*.

156. *τούτου* 'at him.' *οὐ γὰρ δήπου . . μαρτύρων* 'for he would not, I presume, when setting out upon a case of this vexatious nature, do so without supplying himself either with witnesses or with captious arguments of this kind.' *τοιούτων γε* emphasises the disparagement. *ἅμα* goes closely with *λόγων* and *μαρτύρων*, 'he wouldn't lack arguments and witnesses at the same time.'

160. *πυρκαϊῆς* 'burnt stumps.' Besides the decay of nature and the raids of the enemy, the olives might be burnt down by the hand of man or by lightning. The stumps were still sacred, and indeed might shoot again, as was the case with the sacred olive in the temple of Athena, which, two days after being burnt by Xerxes, had made a shoot of a cubit length. Herod. viii. 55. Virgil, however, says that when the olive thus shoots out again it is as a wild olive, *infelix oleaster*. Georg. ii. 303-313. But the word in this concrete sense is not found elsewhere, and many emendations have been proposed. Professor Ridgeway would explain it, if it is retained, as applying to old stumps fit for firewood.

163. *ἐπεργάσασθαι* 'encroach.' *ἐπεργάζεσθαι* and *ἐπεργασία* are the technical terms for working any consecrated ground. Donaldson [New Cr., p. 237] deduces it from the custom of leaving border lands uncultivated, whence in Xenophon we find *ἐπεργασία* = 'border rights,' or 'international rights of cultivation.'

164. *ἔμελλε . . ἔσεσθαι* 'was plainly likely to be;' for the fut. infin. with *μέλλω*, see Goodwin, § 202, 3. The future and present are used indifferently. The true aorist perhaps does not occur; in such a phrase as *κεῖ μέλλω θανεῖν* (Eur. Med. 392) the aorist of *θνήσκω* is a quasi-present; and in Polyb. 1, 19, 8, *ἐμελλον ἐπανελεσθαι* is a mark of later Greek. Rutherford. *Νεω Πηγῇ*. p. 420. *νῦν δὲ* 'but in point of fact.'

165. *οὕτως . . περὶ πολλοῦ ποιῶμαι* 'I set quite as much

store by.' In this common phrase the use of *περί* is nearly equivalent to that noticed on l. 1.

169. *ἐπιμελουμένους* 'you who act as inspectors every month, and send collectors every year.' This (with the passage of Harp.) is our only authority for these *ἐπιμεληταί* and *ἐπιγνώμονες*, though it is evident that some such officers would be needed.

171. *ἐξημίωσεν ὡς κ.τ.λ.* One of the offences would be that of using the ground too close to the sacred tree or stump.

περί with accus. indicates 'nearness.'

172. *τὰς μὲν μικρὰς ξημίας* the small fines which the *ἐπι-* 11 *μεληταί* would have inflicted for minor trespasses. The argument is: 'If I so carefully avoided these small fines, should I not much more have avoided the penalty of forfeiture which belonged to the removing of a *σηκός*?'

175-8. *τὰς μὲν πολλὰς ἐλαίας.* They are *μορίαί* also, see l. 160.

ἔξην . . ἔξαμαρτάνειν 'I might have committed the trespass.' Goodwin, § 122, note 2: '*ἄν* is not used, as these phrases express in other words what is usually expressed by the indicative with *ἄν*.'

For *θεραπεύων φαίνομαι* 'am I shown to take such care of them?' cf. l. 119. *κρίνομαι* 'am I being called in question?'

178-185. The argument is this: 'I did not commit any such trespass during the time of revolution, when all lawless acts were safer,—why should I be thought to be likely to do it after the restoration, when the supervision was stricter?' He means that in his other lands he can be shown to have not broken this law, and then he possessed before the revolution.

181-2. *διαβεβλημένος* 'in a position of suspicion and distrust.' *Si nunc jaceam invidia et contemptu perculsus.* So in Lys. (?) 8, 7, *διαβεβλήσθαι* is opposed to *εὐδοκμεῖν*. Cf. the use of the active in Thucyd. 2, 18, *ἡ σχολαιότης διέβαλεν αὐτόν*.

τότε i.e. during the revolutionary troubles.

186. *ἐπιμελουμένον.* See l. 169.

189. *κυκλόθεν δὲ.* The construction changes, and instead of *ἐν ᾧ* we must understand *αὐτό*, sc. *χωρίον*.

192. *τίς ἂν ἀπετόλμησε* 'who would have been so utterly audacious.' *ἀπὸ* has an intensive force. Cf. l. 59. In a good

sense in Thucyd. vii. 67, 1, ἀπετόλμησαν, 'they showed reckless daring.'

196. ἐπεργαζόμενον. See on l. 163.

197. εἰς κίνδυνον καταστήσαι 'brought to trial.'

200. ἀπογράψαι 'entered on the indictment that I destroyed an olive.' Cf. l. 10. For the construction see l. 145.

204. σύνιστε 'you know from personal observation as well I do.'

205. ἐνθυμουμένους 'forming your opinions.'

206. τῆς ἄλλης πολιτείας 'the rest of my conduct as a citizen.'

209. τριηραρχῶν . . εἰσφορὰς . . χορηγῶν . . λειτουργῶν. He mentions the three most costly and best known of the public expenses borne by citizens, either singly or in partnership,—the equipping a trireme, contributing to the expenses of a war, etc., and the fitting out a chorus for the plays in the theatre. There were others of course, and the student should consult the articles λειτουργία, τριηραρχία, etc., in the Dictionary of Antiquities.

211. πολυτελῶς 'expensively.'

212. μετρίως ποιῶν 'if I had only performed them in a manner to pass muster.'

216. ἐκέρδαινον . . καθίστην. The *ἄν* in the apodosis is sometimes omitted. [See Goodwin, § 222, note 1.] For numerous examples see *Stallb.* on Plat. Symp. 190 c; add Thucyd. vii. 6, 1; Herod. viii. 43; Demosth. 870. The result is represented as all but actually happening, or as certain to happen. We might also say 'I gained nothing' for 'I should have gained nothing.' See also *infra*, l. 245.

222. ἐκ τῶν ἄλλων 'from what happened besides.'

223. μάρτυρας γὰρ κ.τ.λ. 'in the presence of witnesses I 13 offered to have my slaves examined by torture.'

These challenges were made with a double object—(1) Because it was really held, as it has been since, that evidence by torture was trustworthy; (2) for the purpose of discrediting the opposite party if he refused them, by pretending that he did so because he was afraid of the disclosure. For the particular tortures employed, see Arist. Ran. 617 :—

A. καὶ πῶς βασανίζω;

ΞΑ. πάντα τρόπον, ἐν κλίμακι
 δήσας, κρεμάσας, ὑστριχίδι μαστιγῶν, δέρων,
 στρεβλῶν, ἔτι δ' ἐς τὰς ῥίνας δεξὸς ἐγγέων
 πλίνθους ἐπιτιθεῖς, πάντα τάλλα.

224-5. οὗς ἐκεκτήμην 'whom I was in possession of.' παρ-
 λαβὼν 'I took into my own hands.'

231-2. περὶ αὐτῶν . . κατηγοροῦσιν 'make damning state-
 ments about themselves.' Cobet objects to the construction,
 but κατηγορεῖν, we see, is used without a genitive for an object.
 Cf. l. 145, also *infra*, 242.

233. πεφύκασι 'they are naturally.'

235. καταπόντες 'by having denounced them.'

τῶν παρόντων κακῶν refers, I think, not to their torture, but
 to their state of slavery. That emancipation was at times the
 result of informing against a master guilty of an offence
 against the public we have already seen, i. l. 39-40. Cf.
supra, l. 111.

238. ἐμαντῷ ξυνειδέναι 'to be conscious of guilt,' generally in
 a bad sense, cf. l. 114; but in good sense, v. l. 520.

242. περὶ ἐμοῦ . . εἰ ἤλεγχον 'for as for me, if they had de-
 nounced me.' Observe the emphatic position of περὶ ἐμοῦ. For
 the construction ἐλέγχειν περὶ τινος, cf. l. 231, περὶ αὐτῶν κατη-
 γοροῦσι.

245. ἔνοχος ἦν 'he would have been subject.' For con-
 struction without ἂν, see on l. 216.

246-7. ἐχρῆν 'was bound in his own interests.' προσήκεν 'I
 was bound in fairness.'

248. μετ' ἐμοῦ εἶναι 'that it was on my side,' 'in my favour.'
 Cf. Demosth. 1236, μήτε μετὰ τῶν διωκόντων μήτε μετὰ τῶν
 φευγόντων τὴν γνώμην γενέσθαι. καὶ ἐκ βασάνων καὶ ἐκ μαρτύ-
 ρων 'whether from the evidence of slaves or freemen.'

253. εἰκὸς 'likely.'

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254. ἀκινδύνως 'when there was no risk to himself,' i.e.
 because he would incur no loss by failing in the action.

257. συκοφαντοῦντα. See on l. 140.

262-3. ἐπαυτίωτατοι 'for in proportion as such charges are

most invidious and most difficult to refute.' τῶν κινδύνων seems to stand here for 'the charges,' although it more properly means the trials, which are the results of the charges. ἐπαιτιώ-
ται is difficult to explain. ἐπαίτιος properly means 'held to blame for,' the thing for which the person is blamed being in the genitive. [Thucyd. vi. 61, 1, τὰ μυστικά ὧν ἐπαίτιος ἦν.] Here it appears to mean 'calculated to attach blame.' In Thucyd. v. 65, 3, it is applied to a thing, and means 'blame-worthy.' Such a charge is ἀπορώτατος, because in defence it is necessary to prove a negative (i.e. that there was no such olive), which is always most difficult.

264. οὐκ ἤξιουν sc. φεύγειν, 'did not think it right to avoid the trial' by bribing my accusers.

265. παρέσχον . . χρήσθαι 'I submitted myself entirely to your disposal.'

270. τοιούτους . . οἷς . . οὐκ ἂν 'men of such character as these (whom you see accusing me), to whom you cannot in fairness give credit.' For τοιούτους οἷς, which is not equivalent to τ. αἷους, cf. vi. ll. 6, 88. We have ταιαῦτα αἷα, v. l. 694.

275. ἐπ' αἰσχίσταις . . αἰτίαις 'on charges the most disgraceful,' i.e. to the maker of them.

278. κόσμιον 'orderly.' Elsewhere [21, § 19] our orator speaks of its being the most difficult of public services to be always 'orderly,' and never ὑφ' ἡδονῆς ἡττηθῆναι μήθ' ὑπὸ κέρδους ἐπαρθῆναι, 'to yield to the temptations of pleasure or profit.'

279. ἐν ὀλιγαρχίᾳ i.e. during the government of the Thirty.

280. ταῦτα μὲν 'as to all this,' answered by ἀπέδειξα δέ, 'but (to return) I prove to you,' etc.

285. πυθέσθαι οὐτις ἕνεκα. There was no προθεσμία or limit of time to bar the accusation, but the orator seeks to prejudice the accuser by remarking on his having taken advantage of this.

ἐπ' αὐτοφώρῳ 'in the act,' properly in the act of theft (φῶρ) and then in any act: a process exactly like that through which our phrase 'to be caught with the manoir' has gone.

286. τοσοῦτον χρόνον. See Introduction.

287. τοσοῦτον . . ἀγῶνα 'a trial of such importance.'

288. ἐκ τῶν λόγων 'on their bare assertions.' See l. 144. Here it is expressly contrasted with τοῖς ἔργοις.

289. *ἔδν.* Accus. absol. See l. 98.

291. *παρευρέσθαι* 'were present,' when I had the fenced-in stump removed.

ORATION III. [9.]

[The speaker, Polyænus, is defending himself on a charge of not having paid a fine imposed on him for slandering a magistrate. He answers (1) that the fine had been legally remitted by the *ραμίαι*; (2) that if this remission were illegal, the action should be against the *ραμίαι*, not himself.

But the prosecutors had in their speeches referred to the circumstances of the original fine. He therefore reviews the whole case, and pleads (1) that for what he said he had great provocation, namely, that of having from private spite been improperly put on the roll of military service, and having been insulted and threatened because he appealed; (2) that his words did not come under the law, because not spoken *ἐν συνεδρίῳ*, 'in court;' (3) that the very men who imposed the fine had not ventured to give an account of it in their audit.

The penalty for not paying a fine was to pay double. For the law concerning *λοιδορία*, see on l. 52. The weakness in the argument is that he nowhere shows that the *ραμίαι* had a legal power to remit the penalty; and if they had not, the defendant would be in exactly the same position as if they had done nothing, *i.e.* he would have owed the fine.

The speech is almost certainly not by Lysias, in the opinion of most critics. Those who hold this opinion rely (1) on more than one instance of doubtful Attic [see notes on ll. 46, 57, 102, 134, and others might be adduced]; (2) on the style, which Professor Jebb considers 'conclusive,' and he decides that it 'was probably written by a bad imitator of his style;' (3) on the historical difficulty as to 'Ctesicles the Archon,' see notes, l. 29.]

1. οἱ ἀντίδικοι here stands for the prosecutors. See on ii. 16 l. 89.

τοῦ . . πράγματος 'the point in dispute,' *i.e.* whether or not I was liable for the fine.

2. τρόπον 'character.' The plural is more usual in this sense: *infra*, l. 108.

6. τοῦ προσήκοντος 'what they ought to have spoken of.' So (Dem.) *μὴ ἐιργόμενοι τῶν προσηκόντων*, *sc.* *ἐιργεσθαι*.

7. οὐκ ἐμοῦ . . . ποιοῦνται 'it is not because they thought little of me, but because they thought little of the merits of their case, that they thus speak ;' *i.e.* they attacked me not so much because they despised me, but because they despaired of convicting me in any other way.

9. εὐθείαν 'simplicity,' in the bad sense of folly or deceptableness. The word has gone through the same deterioration as our words 'simple' and 'silly' (holy). Thucydides notices its discredit at the time of the Peloponnesian War, τὸ εὐθεὲς οὐ τὸ γυνναῖον πλεῖστον μετέχει καταγελασθὲν ἠφανίσθη, 3, 83, 1.

11. ὅμην μὲν is answered by διαβαλλόντων δέ in l. 13. 'I always used to think that, etc., but since they take to aspersing my character.' . . See on 1, l. 8.

16. ἀπογραφῆς 'writ,' *i.e.* for the recovery of the fine alleged to be due by me. If he lost the suit, the penalty would be the doubling of the fine. ἀπογραφή is the technical word for a suit involving money alleged to be due to the State by fine or other cause. He says, 'I will first explain the circumstances which brought about the writ.' This involves going through the whole story of the original imposition of the fine.

18. καταλέγειν στρατιώτης 'I was put on the list for military 17 service.' The duty of making up the list (κατάλογος) for service on any occasion fell on the Strategē. They had the whole list of citizens of military age to choose from, and no doubt if they chose fairly they would regard service on a campaign as a reason for not putting a man's name on again for a certain period. But the list thus made out seems to have been on occasions, either from favour or by allowed substitution, altered by the admission of Metics and Thetes. Thus Thucydides speaks of lists where such substitution has not taken place as χρηστοὶ or καθαροὶ (6, 31, 3 ; 5, 8, 2). Another unfair advantage obtained by money or favour was the alteration of the service from the infantry to the cavalry (see Arist. Eq. 1370). The list was put up on one of the ten statues of eponymous heroes in the Agora, and each person who found his name on it had to appear at the specified time with three days' rations, σίτι' ἡμερῶν τριῶν (Arist. Pax. 1182-3). Copies of new laws were also exposed on these statues (Demosth. Lept. 485).

19. ὑπεροπούμην . . . καταλέχθαι 'I began at once to suspect that I had been put on the list from some corrupt motive.' For ἐπὶ, see i. l. 11.

20. ἰγνής 'sound,' 'honest,' is opposed to σαθρὸν 'rotten,' 'dishonest.'

21. τῷ στρατηγῷ. This seems to mean 'the strategus' of his tribe. But at some period after B.C. 468 the Strategi were elected indifferently from all. Aristot. R. Ath. 61.

ὅτι ἐστρατευμένος εἶην 'that I had already served.' The optative is used because the words are oblique, representing what he said to the Strategus.

22. οὐδενὸς τῶν μετρίων 'no reasonable or fair treatment.'

προπηλακίζομενος 'with insulting words;' lit. [according to the usual derivation from πηλός] 'with mud thrown in my face,' used especially of insulting *language*. Rutherford [New Phryn. p. 127] derives it from πηλίκος 'how old?'—the idea of insult arising from asking a man how old he is before you know him! Cf. Curtius 275.

25. τί χρῆσθωμι τῷ πράγματι 'what I should do in the matter.' The deliberative or interrogative subjunctive is retained in *Oratio obliqua* after a primary tense. Goodwin, § 244.

26-7. ἀπειλοῖεν . . ἐνδημολῇ. For the mood, see on l. 21.

CALLICRATES, some unknown person quoted as having served as lately as the speaker.

28. τὰ προειρημένα διελέκτο 'the aforesaid conversation had been held by me.'

If this is genuine it presents two difficulties:—(1) διελέκτο is elsewhere always used in middle sense, see Dem. Mid. 119. This might be got over by supposing some such word as *τις* to be lost. (2) No previous conversation had been mentioned. We must suppose τὰ προειρημένα to be a general reference to the statement συμβουλευομενος ἐπυθόμην ὡς κ.τ.λ. For ἐμοί, dat. of agent, cf. 5, 266.

ἐπὶ τῇ . . τραπέζῃ 'at the bank.' The tables of the money-changers were places of resort and idle conversation. See Theophr. Char. xxi., where one of the habits of the μικροφιλότιμος is τῆς μὲν ἀγορᾶς πρὸς τὰς τραπέζας προσφοιτᾶν, in order to be thought to be a man of business. Nothing is known of Philius.

οἱ δὲ μετὰ Κτησικλέους τοῦ ἀρχοντος. These words present a very great difficulty. We should naturally expect οἱ μετὰ Κτησικλέους to mean 'the partisans of Ctesicles the Strategus.' But a strategus, it has been said, could not be called ἀρχων. We can in that case only suppose that Ctesicles the Archon (a person unknown to us) was known to the court to have sided with the strategus in prosecuting the defendant; or, as Professor Jebb suggests, that the τοῦ ἀρχοντος is a gloss added by some one who supposed that the reference was to Ctesicles, whom we find on the list of Eponymous Archons for the year B.C. 334. But twice in the second Alcibiades of Lysias (?), § 5, 15, the strategus is spoken of as ἀρχων. See also Plutarch Them. 5, 4.

31. τοῦ νόμου ἀπαγορεύοντος 'whereas the words of the law were precisely.'

32. παρὰ τὸν νόμον. The breach of the law, he pleads, consisted in the neglect of the qualification ἐν συνεδρίῳ; see Introduction. συνέδριον is a generic term for any place of assembly. It seems to mean 'in court' here. In l. 52 ἐν τῷ συνεδρίῳ would more naturally mean 'the senate house.'

33. τὸ ἀργύριον. The full penalty for speaking evil of a magistrate was ἀτίμια; see on l. 52. In this case a mitigated penalty of a fine had been inflicted, which he speaks of as τὸ ἀργύριον, as known to the judges and 'admitted' by the defence.

34. ἐξιούσης . . τῆς ἀρχῆς 'towards the close of their year of office.'

35. εἰς λεύκωμα 'having entered it on the register.' λεύκωμα, a wooden table covered with gypsum, on which drafts of laws and other public memoranda were written. Demosth. 707. It was called also σανίς and σανίδιον, viii. 35. Aesch. in Ctes. § 210.

τοῖς ταμίαις 'the stewards of the treasury.' This treasury was in the temple of Pallas on the Acropolis, and accordingly these stewards are called by Demosthenes (1075) ταμίαι τῶν τῆς θεοῦ. Cf. Her. 8, 51. We hear of other ταμίαι, e.g. of the paralus, Dem. 570; and of the shipbuilders, τῶν τριηροποιῶν, Dem. 598. Polyænus's fine would have been eventually paid to these stewards.

37. ἀνακαλεσάμενοι . . γραφήν 'have called for an explanation from the men who handed to them the note of the fine.' It was the duty of the magistrates who decided a suit involving a fine to give a written notice (γραφή) of the penalty to the Public Collectors (πράκτορες), whose duty it was to obtain payment of it and hand it over to the receivers (ἀποδέκται), or the ταμίαι of the treasury of a temple to which it might be payable, who also had to receive notice of the fine. The debtor's name was said παραδοθῆναι τοῖς πράκτορσι vel ταμίαις.

Some objection has been made to the fact of the ταμίαι being thus able to act towards their superiors, the Strategi. But, in the first place, it must be observed that it was *after* their year of office; and, in the second, that ἀνακαλεσάμενοι does not, I think, imply necessarily a summons of personal attendance, but a call for an explanation, which must often have been necessary between the Exchequer and the magistrates who gave in accounts. γραφή is equivalent to the λεύκωμα in l. 35. Reiske proposes ἀπογραφὴν, Westermann ἐγγραφὴν.

40. οἷα πεπονθὼς ἦν 'the treatment I had received : ' 18 equivalent to a pluperfect. Madv. § 114 b.

41. ἔπειθον 'they tried to persuade them.'

42. τῶν πολιτῶν τινὰς 'this or that citizen.'

43. ἀναγράφεσθαι 'should have his name entered as owing a fine,' i.e. in the treasury register. ἐγγράφεσθαι is the more usual word in this sense.

44. τὸν παρ' ὑμῶν κίνδυνον i.e. the risk of being called to account before a court.

46-9. προσήκειν δὲ . . παρασχέσομαι. The sense is : 'You now know that the fine *was* remitted ; but though I think that I have already shown that I am not liable, I will put in laws and pleas besides to prove it further.'

καὶ διὰ ταύτην τὴν ἀπόδειξιν 'even by the exposition of my case already made.'

δικαιώσεις 'pleas.' The word does not seem to be elsewhere used in this sense. Thucyd. (1, 41), Isocrates (121), use δικαίωμα. Demosthenes (87, 43) has τὸ αὐτὸ δίκαιον 'the same plea.'

51. τοὺς ἐν τῷ συνεδρίῳ λοιδοροῦντας 'those who speak evil in the senate house (or court).' Demosthenes (Mid. 32) thus states the law : 'If a man assault or speak evil of a private person, he is liable to a prosecution for an assault, and to action for slander ; if he does so to a magistrate, he is absolutely disfranchised ;'—the reason being that the person of the magistrate was regarded as that of the State. There is nothing said of the qualification ἐν τῷ συνεδρίῳ, though such qualification was in the law of Solon ; see Plut. Sol. 21 (πρὸς ἱεροῖς καὶ δικαστηρίοις καὶ ἀρχαίοις). Cf. Dem. Androt. § 32. For συνέδριον, see on l. 32. It means *curia* in Xenoph. Hell. 2, 4, 23, where the Thirty are said to meet ἐν τῷ συνεδρίῳ.

53. τὸ ἀρχεῖον appears to be used as equivalent to συνέδριον,—any place in which magistrates meet for despatch of business. Demosthenes (145) couples ἀρχεῖα and βουλευτήρια 'courts' and 'council-chambers.'

54. ἀδίκως δὲ. The δὲ introduces a remoter consequence of the evidence he offered, and is logically co-ordinate with ὅτι μὲν, though grammatically ἀδίκως . . εἰμι is an independent sentence.

55. οὐτ' . . ἐκτίσαι δίκαιός εἰμι 'nor is it just that I should

pay all that fine.' For *δίκαιός ἐμι*, see *Madv.* § 165. *ἐκτίσαι* 'to pay in full,' does not suggest any compromise as to paying something less, but emphasizes the hardship by suggesting the largeness of the sum.

56. *φανερὸς . . μὴ ἔλθων* 'plainly shown not to have gone.' Obs. *φαίνομαι ἔλθειν* 'I appear to have gone,' *φαίνομαι ἔλθων* 'I am shown to have gone.' Goodwin, § 280, note 1.

57. *ἐντὸς* 'inside the senate house.' Here irregularly used for *ἐνδον*. [This irregularity is another of the arguments advanced against the genuineness of this Oration.] Except in some few phrases, such as *τὰ ἐντὸς*, etc., *ἐντὸς* seems always followed by a genitive case, except in connection with *ἔχειν*, *ποιεῖν*, *ποιεῖσθαι*, 'to enclose,'—favourite phrases with Thucydides.

πλημμελοῦντας 'misbehaving,' here = *λοιδοροῦντας*. [Lit. 'out of tune.' *πλήν*, a preposition indicating 'excess,' or 'variation from a standard'; root *πλε*. Cf. *πολύς πλε-λ-ων* plus plurimus, Curtius 282.]

58. *ἡδίκηκώς . . φαίνομαι*. See on l. 56.

59. *ἀνευ τούτου*. Sc. *τοῦ ἡδίκηκέναι*, not *τοῦ νόμου* as has generally been said. *παράλογως* 'unreasonably.'

61. *οὔτε . . εὐθύνας ὑπέσχον* 'they neither stood an audit.' 19 *εὐθυναί* = (1) the audit or account submitted by a magistrate on the expiration of his office, whether annual or extraordinary, before *εὐθυνοί*, who were chosen by lot from each tribe; (2) a suit brought against him in respect of such audit. Cf. *Andoc.* 10, 15, *εὐθύνας ὀφλεῖν*. I do not think that it is here meant that these magistrates submitted *no* accounts, but that they omitted this particular transaction as being left in the hands of the *ταμίαι*. *οὔτε τὰ πραχθέντα* 'acta,' their conduct in their office. If they did not submit to an audit they would be summoned on a *δίκη ἀλογίου*, and failing to appear would be *ἄτιμοι*. Cf. *Dem. Mid.* 542.

63-70. The argument is this: 'Even had they been right in inflicting the fine, I should be safe, because the *ταμίαι* remitted it. For either the *ταμίαι* had the power to remit, or had not; in the former case the original justice of the fine matters not; in the latter the action would lie against them on their "audit," not against me.' For the flaw in this argument, see Introduction.

64. *ἐν ὑμῖν* i.e. by getting their act confirmed by a vote of the jurors at the suit which would follow an objection to their audit. *τὴν ἐπιβολὴν* 'the infliction of the fine.' Cf. l. 33.

66. *κύριοι ἦσαν* 'were competent,' i.e. the *ταμίαι*.

74. τὴν πρόφασιν 'the pretext for their enmity.' *πρόφασις* in a bad sense, because (1) only the *apparent* reason for an action, (2) though the *real* reason yet founded on a mistake or malice. It is in the latter sense that it is here used.

75. Σωστράτης. Nothing is known of this person; but he appears to have been a leader of one of the innumerable parties which were the curse of Athens at this time. We must be on our guard against giving too great an importance either to the individual or the cause concerning which an Athenian oration is delivered; an equal vehemence and apparent solemnity characterises Attic oratory, whether its subject is the infinitely great or the infinitely little.

76. εἰδὼς . . γεγεννημένον 'knowing that he had performed important public services,' *bene meruisse de republica*.

ἀξιὸν λόγου 'worth consideration,' 'important,' from which Thucyd. and others have the adjective ἀξιόλογος. It is perhaps more naturally applied to things than persons.

78. διὰ τῆς ἐκείνου δυναστείας 'by means of his power,' belongs to ἐτιμωρησάμην. The word *δυναστεία* is an offensive one in a democracy, and is used by Thucydides and Xenophon of an oligarchy. But he intentionally puts it strongly: 'Though Sostratus had the excessive power of an oligarch, yet I never abused it,' etc. Cf. the use by Cicero of *potentia* as opposed to *auctoritas* [pro Mil. ch. 5].

83. τοιαῦτα . . ἔξ ὧν 'and so I can give such an account of my conduct, that from it I shall much more fairly be entitled to my opponents' gratitude than their ill services.' For the combination of τοιοῦτος with the relative *ὅς*, cf. ii. l. 270, vi. l. 88.

86. πρὸς ἐχθραν 'for enmity:' a pretext which could justify 20 enmity. Demosth. uses the phrase adverbially as opposed to πρὸς χάριν [90, 1].

87. ὁμόσαντες. We know nothing of such an oath taken by the Strategist.

89-90. περὶ τοῦ σώματος because the penalty of speaking evil of a magistrate was ἀτιμία. For meaning, see on 1, 1.

τὴν ἀρχὴν = τοὺς ἀρχοντας, as we say 'the government,' meaning the members of it.

91-2. βιάζομενοι . . λόγου 'using every effort to damage one on any and every pretext.' βιάζεσθαι with infin. is not the most

common construction; we have, however, *ἐβιάσαντο πρὸς τὸν λόφον ἐλθεῖν*, Thucyd. 7, 79, 1, and *εἰ βιάζοιτο ὁμόσε ἰέναι*, *id.* 4, 29, 5.

92. *τί δ' ἂν κ.τ.λ.* Their action neither did me harm nor them good. What would they have done if they had seen their way to secure both those objects?

94. *οὔτινες*, see on 1, 31.

95. *πάντα . . τοῦ ἀδίκου* 'all they care for is to display their unfairness.' *περὶ ἐλάττωνος* *vide* Clyde, § 83 a.

98. *δλιγῶρως* 'contemptuously,' *i.e.* towards the authority of the people.

100. *οὐδ' ἐπεχείρησαν* 'did not so much as attempt.'

101. *τετιμωρῆσθαι* 'that they had punished me.' *τιμωρέω* 'I help.' *τιμωροῦμαι* 'I help or avenge myself.' The perf. pass. *τετιμώρημαι* is used as a middle.

102. *τὸ πέρας* 'finally:' an unusual expression for *πέρας* as used by Demosthenes and others. It is another of the expressions alleged as arguments against the genuineness of the speech.

ἐξήλασαν. The speaker is pleading against a fine, not the *ἀτιμία* which might have been inflicted. But he says they 'drove him from the city,' meaning that the result of the suit, if unfavourable, will practically compel him to leave Athens, *vide infra*, § 21, and Demosth. Androt. § 2.

103-4. *ἐπικρύψασθαι . . ἐποίησαντο* 'they didn't care at all to disguise their injustice.' For *ἐπικρύψασθαι*, see ii. l. 126.

104-6. *παραγαγόντες . . λωιδροῦσι* 'they bring me into court again on the same charge, and though I have committed no crime they lay information against me and vituperate me.' The second trial of the speaker is for not paying the fine, not for the original crime of slander. But he maintains that it is practically the same charge, and that the old points have been gone over against him. For *ἐπιδεικνύουσι* in this sense, see Arist. Eq. 849, 832. It refers not to any particular legal form, but to the oratorical display on the part of the prosecutor. For *παραγαγόντες*, see below, l. 127, 'having brought me before (*παρά*) the court.'

108. *τοῖς δ' αὐτῶν . . συνήθεις* 'but such as exactly suit and harmonise with their own characters.'

113-14. τοὺς βέλτιον . . βουλευσαμένους 'those who came to 21 a better and an equitable decision,' i.e. the ταμίαι, who remitted the fine.

115. νόμους 'customs.'

116. ἡδίκηκότες . . φαίνονται 'have clearly done nothing illegal.' For construction see on l. 56-58.

119. ἡγούμενος τετάχθαι κ.τ.λ. 'thinking it an established maxim to do ill to your enemies, good to your friends.' This candid avowal of the exact converse of the Christian ethical rule may be illustrated from various parts of Greek literature. Hesiod [W. and D. 340-351] partly enunciates it: τὸν φιλέοντ' ἐπὶ δαῖτα καλεῖν, τὸν δ' ἐχθρὸν ἐᾶσαι . . τὸν φιλέοντα φιλεῖν. So too Pindar Pyth. 2, 83, φίλον εἰη φιλεῖν ποτὶ δ' ἐχθρὸν ἄτ' ἐχθρὸς ἐὼν λύκοιο δίκαν ὑποθεύσομαι, and Solon v. 5, εἶναι δὲ γλυκὺν ὦδε φίλοις, ἐχθροῖσι δὲ πικρὸν. Cf. Thucyd. 7, 68. Eurip. [fr. inc. 66 a and b] twice expresses it in words very like our author's: νόμος τὸν ἐχθρὸν δρᾶν, ὅπου λάβης, κακῶς, and ἐχθρὸν κακῶς δρᾶν ἀνδρὸς ἡγοῦμαι μέρος. Cf. Æsch. Pr. V. 1043; Choeph. 122; Soph. Antig. 643. Plato [Repub. i. 332] from a line of Simonides deduces a definition of justice, τοὺς φίλους εὖ ποιεῖν καὶ τοὺς ἐχθροὺς κακῶς. And Isocrates [ad Demonic. 26] gives as a maxim, ὁμοίως αἰσχρὸν νόμιζε τῶν ἐχθρῶν νικᾶσθαι ταῖς κακοποιαῖς καὶ τῶν φίλων ἡττᾶσθαι ταῖς εὐεργεσίαις. So too nearly the last heathen writer, Julian Ep. 272 c.

123. κακίαν 'viciousness.' He would not be likely to say that he was ruined by the 'vice of the State,' nor would this harmonise with ἀν μᾶλλον λυπηθείην. Reiske thinks that some word is lost after πόλεως, such as στερεθῆναι or ἐκπεσεῖν. He means, 'If I am cast in this suit I shall not have the credit of being the victim of private enmity, but shall be thought to have been banished for some real misconduct.'

127-8. παραχθῆς, see on l. 104. The participle is not included in the condition: 'for, having been thus brought before you by these men, if I should be (as I ought not to be) convicted, I should run away.'

ἀποδραῖν ἄν. He means that he shall be practically obliged to leave Athens, even though he may not be ἀτιμος. The word ἀποδιδράσκειν seems to indicate a 'running away to escape punishment,' and not to be used in the technical sense of being disfranchised or banished. A man entered in the register as owing a fine was ἔρσο facto disfranchised until it was paid.

129. διανοηθέντα. Underst. συμπολιτεύεσθαι.

132. τὸ δίκαιον 'justice.'

134. συγγνώμην ποιῆσθε 'you grant pardon;' the more usual phrase is σ. ἔχετε. L. & Sc. quote an instance of συγγνώμην ποιῆσθαι from Herod. 2, 110.

τοὺς μηδὲν ἀδικήσαντας. He uses the plural to give it a less personal sound, but he means *himself*, and refers to *this particular* charge, and therefore employs the aorist.

135. δι' ἰδίας ἑχθρας, belonging to περιπεσόντας, is out of its place in the sentence for the sake of emphasis. The order follows the order of the importance of the ideas: the two which require special prominence are his own innocence and the private ill-will of his prosecutors.

ORATION IV. [10.]

[The last case arose from a charge of slandering a magistrate; we now have a case of the slander of a private person in a speech delivered apparently in the Ecclesia.

Theomnestus had been impeached (εἰσαγγελία, § 7) by Lysitheos for *speaking in the assembly* after throwing away his shield. He was acquitted (§ 22); and then prosecuted for perjury one of the witnesses against him, Dionysios, and obtained his disfranchisement (§ 22); and also brought a suit against a certain Theon for slander (§ 12).

The present speaker had been one of the witnesses against Theomnestus, who in his reply had asserted that the witness had killed his own father. Thereupon the speaker prosecuted Theomnestus for slander, and the case (δίκη κακολογίας), having first been heard before an arbitrator (§ 6), was tried before an ordinary court under the presidency of the Thesmothetæ.

The speech, in itself spirited and interesting, is curious from the line of defence set up by Theomnestus. He seems to have admitted the fact, but to have pleaded that his words were not actionable, because he had used the expression ἀποκτονέναι, whereas the word forbidden (ἀπόρρητον) in the law was ἀνδροφόνος. The speech therefore is in a great degree taken up with this special plea, showing its absurdity by quotations from old laws, still in force, though containing obsolete words.

For the law of slander, see Orat. iii. l. 58. The penalty for the offence was a fine of 500 drachmæ [§ 12].

The date of the speech is shown by § 4. He says that it is the twentieth year since the restoration of the Democracy, which took place in 404-3 B.C. The date therefore is B.C. 384-3.

Readers of Aristophanes will know how common the imputation of this act of cowardice, 'throwing away the shield,' was, and how

Cleonymus is again and again attacked for it. *Vide Vesp.* 19, 82-3; *Av.* 289, 1481. The motive of course of throwing away the heavy shield was to fly more quickly. Cf. Thucyd. vii. 45, 2, after the unsuccessful attack on Epipolæ, *ὅπλα μέντοι ἐτι πλείω ἢ κατὰ τοὺς νεκροὺς ἐλήφθη*, which he explains by stating that in retreating down the high ground they threw away their shields, and some escaped and others were killed. Cf. Horace's description of his retreat at Philippi, *relicta non bene parmula.*]

3. *δικάζοντας* 'sitting on the jury.'

22

4-5. *εἰσήγγελλε* . . *δημηγορεῖν* 'was impeaching Theomnestus for speaking in the assembly after having thrown away his shield.' A man guilty of cowardice in the field was tried before the Strategoi; but in this case Lysitheus seems to have accused him of 'speaking in the assembly' after having been guilty of such a crime, the penalty of which was *ἀτιμία*. But though the impeachment was raised on this issue, the whole case would depend on the proof of his having 'thrown away his shield,' without proof of which the other charge necessarily fell to the ground. The *εἰσαγγελία* seems to have been to the Ecclesia, not the Boulè. The infinitive after *εἰσαγγέλλειν* is not common.

5. *οὐκ ἔξον* 'when it was not lawful for him to do so:' because if he had shown cowardice he was *ἀτιμος*. *οἷς ἔξεστι* is the phrase describing men without any disability in respect to any civil function.

9. *φαῦλον* 'common-place and insignificant.'

ἡγούμην 'I should have considered:' for *ἄν* omitted, see ii. l. 216. Weidn. read *φαῦλον γὰρ ἄν*.

12. *φιλόδικον* 'pettifogging' or 'litigious.' *δικάζεσθαι* 'to go to law with;' *δικάζειν* 'to act as judge.' The offence, as in Lat., is in the genitive, *κακηγορίας* 'for slander.'

13. *νυνὶ δέ* 'but in the circumstances,' i.e. considering what a dreadful thing he has said of me. Cf. i. l. 3.

14. *οὕτω πολλοῦ* . . *πόλει* 'a man who had performed such notable services to you and the State.' W. reads *ἡμῶν*.

17. *ἐξαιρετόν ἐστι* 'the special privilege is allowed,' a metaphor from the division of booty.

18. *ὅ τι ἂν βούληται*. Cf. i. l. 8.

19-21. *ἐμοί* . . *τοῦτί*. This serves to date the speech; he 23

says, 'this is the twentieth year since the restoration,' *i.e.* since the re-establishment of the Democracy after the rule of the Thirty Tyrants; that is, the year B.C. 384-3. He himself is now thirty-three, and therefore was thirteen in the year of anarchy.

23. οὔτε τί ἐστιν . . ἡπιστάμην 'could neither have any understanding of what constitutes an oligarchy.'

24. ἐκείνῳ *i.e.* my father. For ἄν W. gives αὐ.

25. καὶ μὲν δὴ 'Moreover, I could have had no good reason to plot his death as far as money went.' καὶ μὲν δὴ introduces a new point in his argument, as often in Lysias, cp. l. 191. He proceeds to show that he was a loser and not a gainer by his father's death, owing to his elder brother's rapacity.

30. προσήκέ μοι 'it was for my interest.' W. προσήκειν.

32. σχεδὸν ἐπίστασθε 'you know well enough:' so we use 'pretty well' almost ironically for 'quite well.'

35. πρὸς ὑμᾶς 'before you.'

36. πρὸς τὸν διαιτητὴν 'before the arbitrator.' (Müll. τῷ διαιτητῇ.) The case had been tried before one of the forty official arbitrators [four annually elected by lot from each tribe]. Against their decisions there was always an appeal; and before the time of Demosthenes all civil suits were heard first before one of them, that, if possible, an appeal to a higher court might be saved. It seems uncertain when this ceased to be the invariable practice; it had evidently been followed in this case.

37. τῶν ἀπορρήτων 'one of the forbidden words,' *i.e.* one of the words for which a man might be prosecuted for libel if he applied it to another.

39. οὐκ ἀπαγορεύειν 'does not forbid.' 'The infinitive in 24 indirect discourse regularly has οὐ, not μὴ, to retain the negative of the *direct discourse*; but some exceptions occur.'—Goodwin, § 283, 3. Cf. Madv. § 205.

οὐκ ἔαν 'prohibits;' the negative, as in οὐ φημι 'nego,' is inseparable from this verb in this sense.

41-42. ὀνομάτων 'words.' Not the letters, but the spirit.

τῆς . . διανοίας 'their meaning.'

διαφέρεσθαι 'curare,' 'to care about,' 'take into account.'

Dem. Phil. i. p. 112: φάσκειν δ' εἰρήνην ἄγειν ὥσπερ ἐκεῖνος οὐ διαφέρομαι = οὐ μοι διαφέρει.

46. περὶ ἐνός, sc. ὀνόματος. 'When he mentioned one term (for the act) his meaning embraced all.' He clearly showed his intention as to any other term that might be used.

48. δῆπου 'I presume,' introducing what seems to the speaker an absurd case. Note: the negative stands first in such sentences in Greek, for it is the emphatic word, but in English we must put it more closely with the verb. 'For I presume you would not have held a man guilty who called you a father-beater, and yet have looked on him as innocent if he had said that you "struck" your father.' Or, 'I presume you would no more have held a man innocent of slander who said that you "struck" your parent, than if he had said that you were a "parent-beater."'

If οὐ is taken with the first clause, δέ must be translated 'and yet.'

53. περὶ τοῦτο γὰρ i.e. on the subject of throwing away a shield; of which Theomnestus had been accused, and acquitted: hence καὶ ποιεῖν καὶ λέγειν.

56. φάσκει 'assert.' There seems often an idea of insincerity or malice attached to this word. See Index.

ὑπόδικον 'liable to be prosecuted.'

57. οὐκ 'nonne.' ἀλλ' ἐξήρκα . . ἀποβεβληκέναι 'but in the case of some one saying that you had thrown away your shield, would you have been satisfied with saying, "Oh, it's nothing to me, for 'throwing' and 'flinging' are two different things"?'

60-4. ἀποδέξαιο. 'Nor could you admit the charge, if you were one of the eleven, and a person arrested another complaining that his "cloak or shirt had been stripped off;" but on this same principle you would have to let the prisoner off, because he was not specifically called a λωποδύτης.'

The Eleven [ten magistrates elected one from each tribe, with a clerk] had twofold functions:

I. Administrative—

(a) They had the care of the prison, were responsible for the safe custody of the prisoners, and for their recapture if they escaped.

(b) Consequently they had to see that executions were carried out by the public executioner (*δημόκοινος*).

(c) They were present at the examination by torture of slaves.

(d) They had cognisance of the lists of confiscated property before they were brought into court; and after the court decided were charged with the execution of the decree.

II. Judicial—

(a) Criminal cases generally to which the death penalty was attached.

(b) Cases of State debtors refusing to pay.

(c) Cases of summary arrest (*ἀπαγωγή*).

It is in this last capacity that they are referred to here. They could not, however, inflict the penalty in the cases in which they acted as magistrates, unless the accused confessed; if he did not do so, they had only the power of bringing the case into the regular court (*εἰσαγωγή εἰς τὸ δικάστηριον*).

ἀπάγοι 'summarily arrest.' See Wayte, or Dem. Andr. 601. Three ways of proceeding in criminal charges will be useful to observe as covering a large number of cases :—

(1) To summarily arrest a man and bring him before the Eleven [*ἀπαγωγή*]; in this case he must have been taken in the act [*ἐπ' αὐτοφώρῳ*, vi. § 85]. This is distinct from an *ἀπαγωγή* following *ἐνδειξις*.

(2) To bring some magistrate to the spot to witness the crime [*ἐφήγησις*, ii. § 22].

(3) By calling, if possible, bystanders to witness, and then laying an information [*ἐνδειξις*] before the magistrate [ii. § 20]. This would be followed by an *ἀπαγωγή*, as in vi. § 85.

λωποδύτης 'a stripper of clothes' [*λωπὸς δύνω* (the feminine *λώπη* is used in Homer for clothes)]. It is used as a general name for a 'robber from the person in the street.'

61. **θομάτιον** sc. *τὸ ἱμάτιον* the outer garment, consisting of a square piece of cloth, called also *χλαῖνα*.

χιτωνίσκος a short close-fitting undergarment with sleeves, worn by men, whereas the female garment was called *χιτώνιον*. Sometimes it had only one sleeve, leaving the other arm free; it was then called *ἐξωμῖς*, and was specially the dress of slaves. All three might be described by the word *χιτών*. For the two mentioned together, see Dem. Mid. 583: *ὥστε με φοβηθέντα τὸν ὑμέτερον θόρυβον θοιμάτιον προέσθαι καὶ μικροῦ γυμνὸν ἐν τῷ χιτωνίσκῳ γενέσθαι*. See Becker's *Charicles*, pp. 415 sq.

ἀνδραποδιστής [*ἀνδράποδος* slave, factitive termination—*τεω*].

64-5. Another instance. The law punishes an *ἀνδραποδιστής*, i.e. one who carries off a man into slavery. If he carried off a *boy*, of course he would be equally guilty. For *ἐξαγαγών*, see vi. l. 472.

67. *ὃν ἕνεκα* 'to express which.' The end of speech is not words, but the conveying of ideas.

70. *οὐδ' εἰς Ἄρειον πάγον ἀναβεβηκέναι* 'never to have taken the trouble to go to the Areopagus when the court was sitting.' A curious instance of a peculiarly Greek idea, that it was somewhat disgraceful in a citizen not to be interested in and acquainted with the processes in the law courts, assemblies, etc. Cp. viii. l. 170; Plutarch Sol. 11, 20. *ῥαθυμίας καὶ μαλακίας* 'indifference and unmanliness,' lack of energy.

72. *φόνου* 'murder.' The court of Areopagus had special jurisdiction in cases of homicide.

73. *διωμοσίας* 'the sworn depositions;' properly, 'the cross depositions from either side (*διὰ*).'

74. *κακῶς ἀκήκοα* 'have been abused,' l. 141.

77. *φάσκοντα* 'to acquit one who pleads that he is a homicide, because the prosecutor swore that "he killed."' See on l. 56.

79. *καὶ αὐτὸς* 'why, you, your very self.'

86. *οὕτω . . λαμβάνειν* 'that you should interpret the laws just as I am now doing.' Cf. Dem. 805, *παρὰ τὴν ὁργὴν ὑμῶν βουλήματα λαβών* 'interpreting your wishes by your moments of anger.'

89. *ὅπως ἂν βούλῃ* 'in whatever sense you please.'

93-5. *ὥστε . . πλεονεκτεῖν* 'that you ought to claim advantages, not in proportion to your services, but in proportion to the injustice you have been able to do without being punished.'

99. *μαθεῖν* 'understand.'

26

101. *ἀλλὰ νῦν* 'even at this late hour,' even though he has never learnt it before. *ἐπὶ τοῦ βήματος* 'while he is actually on the bema,' though of course he ought to have learnt it before coming to court. *βῆμα* 'suggestus' = (1) the raised dais in the Pnyx in which public speakers stood, called also *ὁ λίθος* [Arist. Pax, 680, or *ἡ πέτρα* Eq. 956]. (2) In a law court there were two furnished with seats, one for the prosecutor, and one for

the defendant; hence Demosthenes (in Olympiod. 1176, 31) says, *σιωπῇ ἐκαθήμην ἐπὶ τοῦ ἐτέρου βήματος*. Aesch. in Ctes. § 207. This also is called *ὁ λίθος*, Ar. Ach. 683.

102. *πράγματα*. See on ii. l. 3.

103. *Σόλωνος*, for the *κύρβεις* on which these laws of Solon were written, see xv. 133, 'The laws written on wooden rollers (*ἄξονες*) and triangular tablets (*κύρβεις*) preserved in the Prytaneion, were known as the laws of Solon,' R. C. J. These were written *βουστροφηδόν*, i.e. the lines continued from left to right, and from right to left.

104. *δεδοσθαι*, infinitive as imperative. *ποδοκάκη* 'stocks.' Suidas gives two derivations of the word—(1) *πούς . . κακῶσις* (2) *πούς . . κατοχή*. Hesychius notices both forms, *ποδοκάκη* and *ποδοκάκκη*. See Harpocr. The law from which this is an extract is given in Demosth. Tim. 733, 105. The wooden stocks (*τὸ ξύλον*) had a hole for the neck and hands and feet. Aristoph. Lys. 680, *ἀλλὰ τούτων χρὴν ἀπασῶν ἐς τετρημένον ξύλον ἔγκαθαρμόσαι λαβόντας τουτονὶ τὸν αὐχένα*. See also Equit. 367.

105. *προστιμήση* have awarded it *in addition*, i.e. to a fine.

109. *ἐν ταῖς . . ἑνδεκα* 'when the eleven were undergoing their audit.' See on iii. l. 69.

113. *ἐπεγγῶν* 'let him give security.' This quotation must consist of two separate phrases, quoted for the sake merely of the obsolete word in each. *ἐπιορκήσαντα*, which in Lysias's day would mean 'having sworn falsely,' is here used for the simple *ὀμόσαντα* 'having sworn by.' *δρασκάζειν* is used for the common *ἀποδιδράσκειν*. [Hesychius explains it by *κρύπτεσθαι ἀποδιδράσκειν*; the former word indicating some confusion between *δρασκάζειν* and *δασκάζειν* (?), or arising from some notion of secrecy in *δρασκάζειν* 'to effect one's escape like a runaway slave.' Cf. *φάσκω*.]

117. *ἀπὸλλαι* 'excludes by (shutting) the door' [*ἀπὸλλω*, better *ἀπείλλω* from root *Feλ*, whence *εἰλω εἰλέω εἰλ-υ-σι-ς*, a chain—*ἀλ-έ-σκ-ομαι*, etc. Curt. Gr. Et., § 656.] R. C. Jebb]. This fragment again is quoted without its context merely for the sake of the obsolete word *ἀπὸλλειν*. It seems to be referring to the crime of 'aiding and abetting' a thief. 'Whoever shuts to the door when a thief is inside,' i.e. to protect him by keeping off help from without. Cf. *ἦν δ' ἀποκλείη τῇ θύρᾳ*, Arist. Eccl. 420.

121. *ἐπανάγνωθι* W. *ἐτι δ' ἀνάγνωθι*. *στάσιμον* 'may be put out to interest.' [Hesych. explains *στασάμενον* by *δανεισάμενον*.]

And. de Red. § 11, *δσον γε μοι κατέστησαν*, quanti mihi steterunt, 'cost.' For *στάσιμον* 'weighable,' see L. and Sc.

126-32. *δσαι . . θεράποντος*. These fragments of laws seem to refer to assaults on women and slaves; see Plat. *Sol.* 23. '[Except] those females who walk about openly,' i.e. for prostitution. 'Let a man be accountable for damage done to a domestic or female slave.' The *εἶναι* seems to be unaccountable without the context. Of the obsolete words *πεφασμένος* is from the perf. part. of *φαίνω*, of which we have *πέφανται*, *Æsch. Ag.* 374; *πέφασμαι*, *Soph. O. C.* 1543, etc. And the participle *πεφασμένος* in Solon's Poems, xiii. 71: see Veitch. *πολούνται*, survived in poetical language, *Æsch. P. V.* 645, as also the active *πολέω*, *Eur. Alc.* 291. In prose the compound *περιπολέω* was still in use, and is found in Plato, Xenophon, etc., and *περίπολος* a patrol, in Thucydides, etc. *οἰκῆος* (*οἰκεύς*) equivalent to *οἰκέτου*, is often found in Homer, and *οἰκεύς* once in Sophocles (*O. T.* 756). For *θεράπων*, see on ii. l. 105.

133-5. *σιδηροῦς* 'stupid.' Rare, in an intellectual sense; in *Aesch. in Ctes.* 166 it means 'cold,' 'unimpassioned.' In *Plut. Cic.* 26 'hard-hearted.' *νῦν τε καὶ πάλαι* 'perpetual' or 'common to antiquity and to ourselves.'

138. *τοῦ βήματος* 'the platform of the defendant.' See on l. 101.

141. *ἀκοῦσθαι τινα* 'that one should be said,' l. 74.

143. *γούν* 'at least.' *γούν* introduces a reason for thinking 28 that what has been said is true, or at least reasonable.

144. *τοιαύτην γνώμην ἔχειν* 'to have such an idea current about me.' *γνώμη* here stands for the opinion, not of the speaker, but that held about him, his 'reputation.' Cf. the use of *opinio*.

146. *τῆς συμφορᾶς*, the consequences of a conviction, i.e. *ἀτιμία*. [Cf. *Demosth. Mid.* 533: *οὗτος ἀστρατείας ἐάλω καὶ κέχρηται συμφορᾷ*. The Latin *calamitas* is used in the same sense]; whereas if the speaker could be shown to deserve the imputation of parricide the penalty would be death.

147. *ἀλλὰ . . ἡτίμωσεν* 'nay, he even secured the disfranchisement of the man who gave evidence against him,' i.e. for perjury.

148. *ἐκένο*, i.e. the throwing away of his shield.

152-3. *οἰδένος . . ἄλωσεται* 'whereas his penalty, if convicted of slander, would be not at all equal to his deserts.'

154. *τίνος . . ἐγκλήματος* 'what charge have you against me that should prevent it?' For constr. and meaning see viii. l. 78. But Francken would read *πρὸς ὑμῶν*, I think unnecessarily.

155. *πότερον—ἀκήκοα* 'can it be because I have deserved the imputation?'

156. *βελτίων καὶ ἐκ βελτιόνων* 'a better man and of better extraction.' Dem. de Cor. § 10. For the importance attached to family, see vi. § 64, and cf. Arist. Eq. 185; Ran. 727 sq. The opposite would be *πονηρὸς καὶ ἐκ πονηρῶν*.

159. *ἀλλ' . . κατεσκεδάσται* 'well, this is not the story which has been spread broadcast through the city.' There is a notion of hostility in the word,—'against him or me,' cf. Plat. Apol. 18 c, *οἱ ταύτην τὴν φήμην κατεσκεδάσαντες*.

ἐν ᾗ sc. *δωρεά*, but *ἐν ᾧ* 'in which matter' would be much more usual.

163. *Διονύσιον* the witness who had been disfranchised for perjury. *συμφορᾷ* i.e. *ἀτιμία*. See *supra*, l. 146.

166-171. *εἴημεν . . χρῆσθαι*. The words of Dionysius are given first as indirect speech, and the perfect optative is used; and then, as often in Greek, the very words are given with the verbs in the indicative, *ἀπέθανον . . ἐαλώκασιν . . ἦν*. Goodwin, § 242 b. *στρατεῖαν* cogn. accus., Goodwin, § 158. *κρεῖττον—ἦν αὐτῷ* 'it had been better for him.' For the omission of *ἂν* see Goodwin, § 222, note 1.

172. *τὰ προσήκοντα* sc. *ἀκούειν*, 'as he deserves.' iii. l. 6.

173. *παρὰ τοὺς νόμους*, joined with *ὑβρ.* and *λέγοντι*, 'using words forbidden by the laws.'

178. *οὔτε τοῖς πολέμοις κ.τ.λ.* i.e. was never taken prisoner. 29

180. *ὄφλειν εὐθύνην* 'was cast in a suit on his audit,' i.e. so conducted every office he held as never to lose a suit brought against him when he stood his examination after it. *εὐθύνη* (see iii. l. 19) is here used not for the audit itself, but for a suit in regard to it. *ὄφλειν εὐθύνην* as *ὄφλειν δίκην*, Andoc. i. § 73. [Li. and Sc. would alter the form *εὐθύνην* to *εὐθυαν* here and in other places.]

181. *ἐν ὀλιγαρχίᾳ* i.e. during the reign of the Thirty. *ἀπέθανεν* 'he was put to death,' vi. l. 474.

183. *ἐκείνου* sc. the father. 'As though it were his father and not himself who had been slandered.' He argues that to be said to have been murdered by his son was an insult to the father's memory.

184-186. *ἀνιαρότερον* 'more distressing.' *αἰτίαν* 'reproach,' 'slur on his memory.' *ἀνήρησθαι, ἀναιρέω*, 'to be made away with.'

186-90. οὗ ἐτι . . δαίλια. He means that his father, having brought home his own arms and trophies taken from the enemy, has dedicated them in temples at Athens, whereas the defendant's shield, having been thrown away, is hung up as a trophy in an enemy's temple. πρὸς 'at,' not inside, but either on the walls or near the temple. ἀνάκειται 'are dedicated,' 'laid up.' For such a dedication of spoils taken in war, see Thucyd. 3, 114, τὰ δὲ νῦν ἀνακείμενα σκῦλα ἐν τοῖς Ἀττικοῖς ἱεροῖς. σύμφυτος 'inborn,' 'hereditary.'

192. τὰς ὕψεις 'outward appearance.' Cf. viii. l. 155. νεανίαι 'gallant.' Cf. Dem. de Cor. § 313, ἐν τίσιν οὖν σὺ νεανίας καὶ πηνίκα λαμπρός; hence the verb νεανιεῖσθαι, 'to swagger like a youth,' and in later Gk. to 'act with spirit.'

196. ὀργισθεὶς 'in a moment of anger.' Obs. the aorist of a momentary effect.

199. οὐδεμίαν . . δίδωσι 'makes no allowance for.'

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202-3. οὐ γάρ πω ᾔδειν 'for I had yet to learn.' 'I did not know then, nor do I think now.' τοὺς μὲν ἰδόντας 'those who saw the shield thrown away.'

206. καταψηφίσασθαι 'condemn,' 'to give votes against.' κατὰ in composition with a verb takes a genitive when its sense is *adverse* or *hostile*; when its sense is *completion*, it takes the accusative. The opposite 'to acquit' is ἀποψηφίξασθαι. Each dicast had two ψῆφοι given him, one for acquittal, the other for condemnation, distinguished either by colour, or by being pierced; and he put into a voting box whichever he pleased. For various methods of doing this, see Dict. of Ant., Article ψῆφος, and cf. Orat. vi. § 37.

209. ὅς μόνος . . πάγῳ. 'I, who all by myself, as soon as I had come of age, indicted the Thirty (for murder) before the court of the Areopagus.' The time of the δοκιμασία of an Athenian youth, about which some doubt and confusion have existed, is clearly stated in the newly-found treatise of Aristotle, Rep. Ath. 42, agreeing substantially with Pollux, 8, 105. When he was eighteen his demesmen formally verified his age, his freedom, and his legal parentage, and entered him on the list [ἐγγράφειν]. The Boulê revised this entry [δοκιμάζει τοὺς ἐγγραφέντας], demanding proof of the youth's age, and fining the demesmen if it appeared that it was less than the law required. Having passed this δοκιμασία the boy became ἐφηβος and was a citizen, and could marry. But his citizen rights were still incomplete. He could not sue or be sued except in regard to his inheritance, or that of his mother if an heiress; nor speak or vote in the ecclesia; though it appears he could bring a charge before the

Areopagus, that is, for murder or sacrilege. Two more years had to elapse before he was fully on a footing with the other citizens. This was expressed by the phrase *ἐπὶ dietès ἤβαν*. During the first year he was under the direction of special officers called *σωφρονισταί* and *ἐπιμελήται* and did military duty in the Peiraëus. He then appeared before the people in the theatre, went through certain military manœuvres, was publicly armed, and did frontier duty as *περίπολος* for a year. At the end of the two years he took the citizen oath in the temple of Agrauios, and was entered on the deme-register of those capable of drawing lots for office [*τὸ ληξιαρχικὸν γραμματεῖον*]. This completed his citizenship, of which he could not be deprived except by a *δίκη ξένιας* or some legal sentence of disfranchisement.

He says 'directly I came of age': we know from § 4 that in 404-3 B.C. he was thirteen; since the *δοκιμασία* is to be taken as in the eighteenth year, this would date his indictment of the Thirty as taking place 399-8; 'of the Thirty only Pheidon and Eratosthenes stayed at Athens; and we may gather from this that Eratosthenes probably escaped the penalty of death when impeached by Lysias in 403.' R. C. Jebb, *Attic. Or.*, i. 296.

213. *τοὺς ὅρκους οἷς* 'the oaths which you have taken; ' *οἷς* is attracted into the case of its antecedent. Goodwin, § 153.

ORATION V. [12].

[This Oration possesses unique historical value, as being an exposition, though from a partisan point of view, of the conduct and policy of the Thirty Tyrants, composed immediately after their expulsion by one who had had personal experience of their rule, and who from his own sufferings would be likely to put every point against them with the most telling force. At the same time we must remember that it was addressed to an audience who also knew accurately the facts of the case, which would be a check on excessive exaggeration or directly false statement.

Athens is taken by Lysander in the spring of B.C. 404 [17th of Munychion (3d April), Plut. Lysand. 15: see Clinton], and the Thirty are soon after established, and retain power till November (Poseideon).

Early in their career they began to feel the want of money, and having exhausted the gains to be made by the death and confiscation of certain notorious characters, they resolve on using a similar severity towards certain rich resident aliens, who were known to be disinclined to the Revolution.

Ten are first selected, including two of small means to elude

the imputation of interested motives; and among the first to be attacked were Lysias and his brother Polemarchus, who were carrying on a prosperous trade as armourers. Polemarchus is seized and put to death. But Lysias managed by liberal bribes to secure the connivance of his captors in his flight. He escaped to Megara, and shared in the subsequent return of the popular party, giving them such substantial assistance that he was at once granted citizenship, though this grant was immediately cancelled as illegal, and he subsequently resided in Athens as an Isoteles.

In November–December, 404 B.C., those of the Thirty who were still alive retreated from Athens to Eleusis, with the exception of two, Pheidon and Eratosthenes. Their government was replaced by a board of Ten, of which Pheidon was one.

Thrasybulus establishes himself in Phylè in September, and afterwards in the Peiraëus, in November–December (Poseideon), B.C. 404, and in the early months of the following year, B.C. 403, carried on war against the Ten who succeeded the Thirty.

This eventually resulted in the victory of the popular party, the deposition of the Ten, and the return of the fugitives to Athens, about June B.C. 403; and by August of that year the old constitution was completely restored. Almost immediately after this Lysias impeached Eratosthenes, as the member of the Thirty who had arrested him, for the murder of Polemarchus, and for his general conduct as one of the Thirty;—probably on his giving an account of his office (*εἰθυναί*), and before the expedition which took place later in the year to drive the Thirty from Eleusis, § 80. [See Professor Jebb, *Attic Orat.*, vol. i. pp. 261–4.] If this supposition be right, the trial would be before an ordinary Heliastic Court.

This account of the Thirty should be compared with that of Xenophon [Hell. ii. 3–4]. See also Appendix, 'The Thirty.'

Lysias was able to impeach Eratosthenes, because the members of the Thirty, the Ten, and the Eleven, who served the Thirty, were expressly exempted from the amnesty (Hell. 2, 4, 38); unless they would submit to a scrutiny (Andoc. i. § 90). See on iv. l. 209. But whether the speech was ever delivered seems uncertain. Very soon after the full citizenship was conferred on Lysias the decree was reversed on the *γραφὴ παρανόμων* brought in by Archinus against Thrasybulus, and Lysias may have had no opportunity of delivering it, and at any rate he failed to convict.]

4. μήτ' ἂν ψευδόμενον . . . κατηγορήσαι 'not even if he took 31 to lying could a man make his accusations worse than the facts.'

7. ἀπαιτῶν 'to give in,' 'to be tired.' τὸν χρόνον. The reference seems general, not to any particular time allowed for his speech.

9. πρὸ τοῦ 'before this.' Goodwin, § 143, 2.

15. οἰκέας 'personal,' because the accused had been the cause of the death of his brother.

16. ἀφθονίας . . ὀργίζεσθαι 'infinite motives for anger.'

18. οὗτ' ἑμαυτοῦ πάποτε . . κατηγορεῖν. This speech of Lysias (B.C. 403, soon after the final defeat of the oligarchs) was his first. Perhaps the reputation it gained him suggested to him professional speech-writing as a means of repairing the losses he had suffered under the Thirty.

22-25. μὴ . . ποιήσωμαι, for subj. after the historic tense κατέστην see Goodwin, § 216, 2. δι' ὀλίγων 'in the fewest words possible.'

27. ἐπείσθη ὑπὸ Περικλέους. He was persuaded by Pericles 32 to come to Athens from Syracuse. See Life, § 1.

29. δίκην οὕτε . . ἐφύγομεν 'we were never prosecutors or defendants on any private suit whatever.'

33-5. συκοφάνται v. l. 149. φάσκοντες 'pretending,' iv. l. 56. μὲν . . δὲ after πονηροί and φάσκοντες are omitted by W. and R. I do not think emendation is required, though Cobet proposes καίτοι ταῦτα for τοιαῦτα, the MSS. having καὶ τοιαῦτα. 'But when the Thirty had come to power,—being unprincipled and vexatious, while pretending that their object was to clear the city of bad men,—though they used arguments of this kind, the actions they ventured upon were quite in a different spirit.'

40-1. Θέογγυς—καὶ Πέσων. These two names are in the list of the Thirty given by Xenophon (Hell. 2, 3, 2). We do not hear of them again. The proposal here attributed to them was, that each of the Thirty should select one Metic for confiscation. This detail,—the selection first of ten, among whom were to be two poor men to avoid the scandal of interested motives,—we owe to Lysias. τῇ πολιτείᾳ ἀχθόμενοι 'disaffected to the constitution,' i.e. to the government of the Thirty.

43-4. τῷ δ' ἔργῳ 'but in reality,' answering to δοκεῖν, [equivalent to the usual opposite of ἔργῳ, i.e. λόγῳ] 'an excellent pretext for pretending to punish, but in reality for making money.' For δοκεῖν = 'pretend,' cf. Arist. Ran. 564; Nub. 1174; Eur. Med. 79. τὴν—ἀρχήν 'the government.' See iii. l. 90.

47. περὶ οὐδένος ἡγούντο 'they made no scruple,' 'they cared nothing at all.' See ii. l. 162.

48. ἔδοξεν . . δέκα. Xenophon [Hell. 2, 3, 21] says that the Thirty agreed to take one each. But the number seems too large to have been at once arrested. And probably Lysias, giving more full details, is right in saying that they began with ten. Bremi supposes the number to have been reduced in deference to the vehement remonstrances of Theramenes. Others would alter δέκα to τριάκοντα, but see on l. 76.

50. πρὸς τοὺς ἄλλους 'in the case of the others,' *i.e.* the rich ones.

52-3. ὥσπερ τι . . . πεποιηκότες 'as they might have defended themselves (ἀπελογήσαντο ἂν) if they had carried out any other reasonable measure.' εὐλόγως in a good sense opposed to εὐπρεπῶς. διαλαβόντες 'having distributed the houses to be visited between them.' For ἐβάδιζον cp. Dem. de Cor. § 132.

56. εἰς τὸ ἐργαστήριον 'to the workshop.' Lysias had in 33 partnership with his brother a manufactory of arms (§ 19). His stock does not seem to have been all within reach of the tyrants, as we find him afterwards supplying the Demus with 200 shields. *Vide* Life, § 8.

ἀνδράποδα . . . ἀπεγράφοντο 'began having a list of the slaves made,' *i.e.* by their clerk. This is the force of the middle, the clerk ἀπέγραψε. See Herod. 7, 100. For the employment of slaves in manufactories, see Dem. Aph. 816, where he says that his father had two workshops, one of the same kind as this of Lysias, where he had thirty-two or thirty-three slaves, and one upholsterer's workshop, where he had twenty slaves at work. See Becker's *Charicles*, p. 303.

59. ἔφασκεν 'said yes.'

62. νομίζα 'believed in.' 'I knew that he regarded nothing human or divine, but believed neither in gods nor men,' *i.e.* that from fear neither of gods nor men would he feel bound by an oath. νομίζει would properly apply only to θεοὺς. Cf. Arist. Nub. 818, etc. The expression is almost proverbial, and made more forcible by the zeugma. It is put more fully in regard to the unjust judge (S. Luke xviii. 2), τὸν θεὸν μὴ φοβούμενος καὶ ἀνθρώπον μὴ ἐντροπόμενος.

67. τὴν κιβωτὸν 'my money chest,' *arca* ('posita nunc luditur *arca*'). It seems generally used for 'desk' or 'box' for documents.' Ar. Eq. 1000. To which meaning there is also a reference in Vesp. 1056. Demosthenes uses the diminutive form κιβώτιον (788 *fin.*) It was of wood, Arist. Pl. 710-11. δωμάτιον *cubiculum*.

72. κυζικηνούς . . . δαρεικοὺς. The Kyzikene *Stater* was a gold coin equivalent to 28 Attic drachmæ. Boeckh, p. 23; Dem. 914. See Append. III. The *Daric*, a Persian gold coin circulating in Greece, as equivalent to 20 drachmæ. Boeckh, p. 21.

φιάλας *pateræ*, 'flat cups,' used especially for libations.

76. Μηλόβιός τε καὶ Μνησιθείδης two of the Thirty. There therefore appear to have been three in each party, which would account for the number ten mentioned by Lysias as that selected for the first raid on the Metics. *Supra*, l. 48.

82. εἰς Δαμνίππου 'to the house of Damnippus,' as above εἰς τοῦ ἀδελφοῦ τοῦ ἐμοῦ. Damnippus was apparently trusted by the Thirty, but we know nothing more of him.

85. ἑτέρους another party of Metics, who had been arrested. 34

87. ὥς . . ἤδη 'for in any case I should have to die.' ὑπάρχοντος 'there was death for me to start with whatever I did.'

92. τὴν σεαυτοῦ δύναμιν 'everything in your power,' 'all the assistance you can give.' Here the singular δύναμις = δυνάμεις 'opes.'

98. ἀμφίθυρος i.e. with a back door as well as a front door.

104. ἔφευγον, notice tense, 'I attempted to escape.'

104-6. αὐλαία θύρα . . τριῶν δὲ θυρῶν. The arrangement most common in a Greek house of any size was an entrance from the street by the αὐλαίος θύρα into a court (αὐλή), round which the various rooms were arranged, the whole forming the part of the house reserved for men (ἀνδρωνῆτις). This was separated by a door (θύρα μέσσωλος) from another court, which, with its surrounding rooms, was reserved for the women (γυναικονῆτις). Some houses would have only one entrance, while others, if their position allowed it, would have another called the κηπαία θύρα, because it would often open into a garden. Here Lysias has to pass (1) the μέσσωλος θύρα, (2) the κηπαία θύρα; but what is the third? Becker suggests a door from the garden into the street. It may possibly be that the passage leading from the ἀνδρωνῆτις to the γυναικονῆτις had two doors, one at each end. See Becker's *Charicles*, pp. 251 to 271.

107. εἰς Ἀρχένεω 'to the house of Archeneos the ship captain.' Ἀρχένεως-ω-ψ.

111. διέπλευσα 'effected a passage to Megara.' Obs. the aorist compared with the imperf. in l. 104.

112-113. παρήγγελλαν . . παράγγελμα 'gave their usual order.' A word of military origin, from passing the word *along* the ranks, l. 311. The Thirty had the right of putting any to death who were not in the κατάλογος of the Three Thousand. See Appendix, 'The Thirty.'

118. ἐξενοχθῆναι 'to be carried out for burial,' *efferrī*. κλειστόν 35 a small mean hut or bedroom. In Demosth. Mid. 270 it means a brothel. Some write κλισίον root κλι-, κλι-ν-ω, κλι-νῃ, etc. See

Curtius, 150. It seems rather connected with κλει-, κλει-ω, κλει-ς. See Meisterh. *Gramm. Att. Insch.* pp. 28, 40.

129. εἰς τὸ δημόσιον 'to the treasury,' which would either use them as δημόσιοι 'public slaves' or sell them. For the word see i. l. 33, and ix. l. 60.

132. ἐλκτῆρας 'earrings of twisted gold.' Rt. Fe^l expanded to ἐλικ (ἐλιξ, ἐλίσσω). Curtius, 361. They are enumerated among the ornaments of women in a fragment of Aristophanes, 309. Hesychius has ἐλκτῆρες ἐνώτια.

140. χορηγίας . . εἰσφορὰς for χορηγία, the expenses of equipping a chorus, see Dict. of Ant. The εἰσφορὰ was an extraordinary property tax, levied generally in war-time. We hear of it for the first time during the siege of Mytilene B.C. 428. See Thucyd. 3, 19. Boeckh. p. 471. Lysias and his brother, as Metics, would, unless specially exempt, pay their εἰσφορὰ like the rest; but the χορηγία of a Metic (though not of an Isoteles) was, it appears, confined to the Lenæan festival; the Scholiast on Arist. Plut. 954 (quoted by Boeckh), says that consequently others than citizens were then only allowed to take part in the choruses.

142. πᾶν τὸ προσταττόμενον 'all the legal obligations of a Metic.' See i. l. 9.

144. λυσαμένους 'though we had ransomed.' λύειν 'to re- 36 lease on ransom,' λύεσθαι 'to obtain the release of a man by paying the ransom.'

145. οὐχ . . ἐπολιτεύοντο 'though our conduct, Metics as we were, was so much superior to theirs, though they were citizens.' οὐχ ὁμοίως 'better,' an instance of a phrase arising from a desire to avoid overstatement. For this figure, called by grammarians *litotes* or *miōsis*, see vi. l. 186.

146. πολλοὺς . . ἐξήλασαν i.e. by their tyranny they drove many good men to take refuge with the enemies of Athens, and so became hostile to their own city. This is what Theramenes urges also in his speech in the defence against Critias, Xen. Hell. 2, 3, 42-3.

149. ἀτίμους τῆς πόλεως 'deprived of their citizenship.' The genitive of the part following verbs of sharing, etc., because ἀτίμους εἶναι = στερηθῆναι. Goodwin, § 170, 2. This ἀτιμία does not include confiscation of property. [τῆς πόλεως is omitted in Rauch. 9th ed. Weidner reads τῇ πόλει.]

153. *ἐργασμένοι εἰσίν*. Indirect quotations after *οἷ* and *ὥς*—(1) after primary tense the verb retains mood and tense of direct discourse; (2) after secondary tenses the verb either is changed to same tense of opt. or retains its original mood or tense. Goodwin, § 242. Here in direct speech the verb would have been *οὐδὲν ἐργάσμεθα*.

154. *ἐβουλόμην ἂν* 'I could have wished'; implying that it is vain to wish it now. *Infra*, 600.

156. *οὔτε αὐτοῖς τοιαῦτα ὑπάρχει* 'neither have they any such conduct to plead.'

161. *ἐξυηρησέν* 'gratifying to the full.' Like the Latin *obsequens*.

164-7. *καὶ πρὸς . . αὐτὸν τοῦτον* 'if with him himself, wretch as he is.' *διαλέγεσθαι* 'to hold a conversation.' *ἐπὶ—τῇ—ἀφελείᾳ . . βλάβῃ* 'for his good,' 'for his hurt.' *ἐπὶ* with dative showing the attending circumstances of an action, l. 327. *δοιον καὶ εὐσεβές*. The former refers to the avoidance of contamination of the person, the latter to his duty to the gods: 'consistent with self-respect and piety.'

167. *ἀνάβηθι* 'mount up on the *βῆμα*,' i.e. the tribune or platform of the prosecutor. See iv. l. 101. The evidence was taken at a preliminary trial (*ἀνέκρισις*), and was read over to the witness in court, who was required to signify his assent by bowing his head or speaking. Thus Lysias may in writing his speech introduce this examination as though it actually took place in court. Cf. a similar examination in xi. § 5.

173-7. *ἵνα μὴ ἀποθάνωμεν . . σώσειας . . ἀποκτείναις*. 37 Goodwin, § 216, 2. [Weidn. Rauch. omit *μὴ*.]

180. *ἐπὶ σοὶ μόνῳ ἐγένετο* 'it depended entirely on you.'

186-7. *καὶ μὴν* 'nay more.' *ἔπερ* 'admitting that.' *ὥς αὐτῷ προσετάχθη* is the object of *πιστεύειν* in apposition to *τοῦτο*, 'the fact that he was ordered to do so.'

188-9. *οὐ γὰρ . . ἑλάμβανον* 'for he will not say, I presume, that in the matter of the *Metics* they took security of him.' *οὐ—δήπου*, like *nisi forte*, introduces an absurd or impossible supposition. Dem. de Cor. § 13. *ἐπεὶ τοι τῷ* 'for who, pray, was less likely to have been so charged than one who.' *τοι* introduces what the speaker thinks a self-evident truth. [Weidn. Rauch. *ἔπειτα* for *ἐπεὶ τοι*.] *δοτις*=*quī* with subj., see i. l. 30.

191. ἀποδοδαγμένος pass. part. with middle sense. γνώμην 38 i.e. his opinion *against* the murders; the sense is quite clear without the addition of ἐναντίαν which some editors have made.

192. ταῦτα cognate accusative sc. ταῦτα τὰ ὑπηρετήματα. οἷς attracted to the case of the antecedent understood after ἀντειπόντα. Goodwin, § 153, 1. The attraction rarely occurs except into genitive and dative. *Ib.* Note 2.

198. ἀποδέχεσθαι 'to accept the excuse.'

201. ὥς ἂν . . εἴχετε 'perhaps you might now pardon him with some reason.'

202. νῦν δέ. Orat. i. l. 3. παρὰ τοῦ ποτε καὶ 'from whom in the world *are* you to exact punishment at all?'

204. καὶ μὲν δὴ 'now again,' introduces a new point, the μὲν is an emphatic particle, cf. l. 240. 'Again, whereas his crime is that he arrested my brother, not in his house but in the street (where he might have let him escape without breaking their orders), *you* are angry even with those who entered your houses in search of any one of you or yours.' The point is that it was much more difficult for an emissary of the Thirty to connive at an escape of a victim if actually found in his house, and yet such agents incurred the popular wrath; whereas Eratosthenes found Polemarchus in the street, and might have let him go without direct breach of orders, and yet did not do so. παρὸν acc. neut. absol. See ii. l. 98.

211-13. ἐκέinois, i.e. those who found their victims at home, and could not therefore easily connive at their escape. καταλαβοῦσιν ξάρνοις γενέσθαι 'to deny having found them though they had caught them.'

214. ἔπειτα κ.τ.λ. 'or at any rate that he did not see him.'

215. οὐτ' . . εἶχεν 'did not involve or admit of refutation or examination by torture.'

218. εἴπερ 'if as you say.'

39

223. τοῦσδε 'these judges here in court.'

224. ὁ ὥσπερ . . λαμβάνοντας 'using the facts which they know to have actually happened as sure proofs of what was then said,' i.e. by you when you pretend that you spoke against this murder. No witnesses can be brought forward, for the debate was a secret one among the Thirty.

227-8. *παρεῖναι* sc. in the senate house when the Thirty were debating. *παρ' αὐτοῖς εἶναι* 'to be at home,' *apud nos esse*, so *παρ' ἐμοί, παρ' ὑμῖν*, etc. *αὐτοῖς* = *ἡμῖν αὐτοῖς*, cf. xv. l. 122.

233. *ὁπότε* 'seeing that,' see on ll. 285 and 619, i. l. 30. *φάσκων* see on iv. l. 56, 'what would you have done if you had spoken *against* the victims, seeing that when you allege that you spoke *for* them you killed Polemarchus?'

234-5. *τί ἄν* sc. *ἐποιήσατε*, which is equivalent to *κατεψηφίσασθε ἢ ἀπεψηφίσασθε*, and therefore the *ἄν* really belongs to *ἀπεψηφίσασθε* 'what would you judices have done if you had been Polemarchus' sons or brothers?' *ἀπεψηφίσασθε* 'would you have voted for his acquittal.'

238-9. *ὡμολόγηκεν*, i.e. by alleging that he spoke against it. See l. 175. *τὴν διαψήφισιν* 'the decision,' i.e. by a division of votes on the preliminary question as to his guilt or innocence. *καὶ μὲν δὴ* see on l. 204.

246. *τὸ ἴσον ὑμῖν ἔξουσιν* 'will be no worse off than you are,' i.e. will enjoy equal rights with you. See l. 647.

248. *ἐκκηρύττουσιν* 'banish by proclamation.' The subject of 40 the verb is the government of the various towns in which the Thirty had taken refuge. The Thirty and their agents, the Eleven, were expressly excepted from the amnesty. Xen. Hell. 2, 4, 38.

250. *ἢ πού* 'of course they will consider that they are giving themselves superfluous trouble in avenging you' (the actual sufferers).

252-256. Referring of course to the condemnation of the generals after the battle of Arginusæ, B.C. 406. For the hasty and illegal condemnation of these generals, see Xen. Hell. 1, 8, 1-38; and also the rapid repentance of the people, *ib.* 39-40.

256. *τούτους δέ* sc. *οὐκ ἄρα χρή κολάζεσθαι*; but by what is called a *rhetorical anacoluthon* the subject of *χρή κολάζεσθαι* is repeated—*αὐτοὺς καὶ τοὺς παῖδας*.

266. *τῷ φεύγοντι* 'by the defendant': dat. of the agent, used especially with perf. and pluperf. tenses of passive verbs. Goodwin, § 188, 3. See Wayte on Dem. Timor. 759.

268-9. *τοιούτων* . . οἷ. See on ii. l. 270.

271. *αὐτῷ προσήκει* 'is it open to him.'

274. *ἐξαπατῶσιν*, irregularly put for *ἐξαπατᾶν*, which we should

expect to answer to *μηδὲ ἀπολογεῖσθαι*. The speaker having a somewhat extended description to give, insensibly adopts the indicative as the proper mood for a narrative. Markland wished to read *ἐξαπατῆσαι*.

278. *ἐπεὶ* explains *οὐδὲ τοῦτο . . προσήκει*, 'it is not open to him to advance this plea, for just bid him state,' etc.

280. *αὐτοί*, *i.e.* the Thirty and their party.

281-2. *ἡ πόλιν ἣν τινα τοιαύτην . . κατεδουλώσαντο* 'or what city they ever gained of such magnitude as yours which they enslaved.'

282. *ἀλλὰ γάρ* 'but did they, in point of fact?' *denique*, introducing a clinching question. W. and Fuhr. om. sign of interrog.

285. *οἵτινες* 'seeing that they actually,' etc. 'men that actually,' etc. *Qui delicerent*. See i. l. 31.

288. *περιέβλον* 'dismantled,' *i.e.* took down the walls round the Peiræus; one of the conditions enforced by Lysander. He here attributes it to the action of the Thirty, though they were not officially appointed until afterwards; but it was their party who made the terms with Lysander, and he insinuates that it was not from obedience to the orders of Lysander that they carried out the work, but for their own party ends.

295. *ἐπὶ τῶν τετρακοσίων* 'at the time of the four hundred,' 42 B.C. 411. During the years 412-411 (immediately after the Sicilian disaster) the Athenians were making a gallant struggle to retain their supremacy over the Islands, everywhere instigated by Alcibiades to revolt. The only one which remained faithful to them was Samos, in which the democratical party succeeded in ousting the oligarchical party; and there the Athenians had for a time a secure base of operations. Meanwhile, Alcibiades, wishing to return to Athens, professed to have persuaded Tissaphernes to offer the Athenian generals at Samos an alliance and assistance against Sparta, if only an oligarchical form of government were set up in Athens. The army was opposed to this, but some of the generals accepted the proposal, and Pisander was sent to Athens to propose it. The oligarchical clubs were worked by Pisander, Theramenes, and Phrynichus (Thucyd. viii. 54, 3); and the change to a government of 400, with a select ecclesia of 5000 (Thucyd. viii. 67, 3), was voted. The 400, however, tried for some time to carry on the government without the existence of the 5000. The revolution was frustrated by several circumstances :—(1) The Persians, by making a new treaty with

Sparta, showed that the professions of Alcibiades were false. Thucyd. viii. 57, 9, cf. 88. (2) The army at Samos, led by Thrasybulus and Thrasyllus, declared for the democracy. (Thucyd. viii. 75-6.) (3) Dissensions arose in the 400 themselves, the philosophical Theramenes insisting on the 5000 being really called into existence. (Thucyd. viii. 89.) (4) The Spartans delayed helping the oligarchs. (Thucyd. viii. 90-1.) (5) The Spartans freed Euboea, thus thoroughly alarming the people, who turned upon the pro-Spartan or oligarchical party. Phrynichus was assassinated, and Antiphon and Archiptolemus impeached and executed. (Thucyd. viii. 90-8). The only part of the revolutionary programme left was, that the franchise was nominally confined to the 5000 (though this was not kept to in practice), and that certain official pay was discontinued.

At the first flush, however, all those who sympathised with the oligarchical movement would be anxious to be at Athens to take part in it, and Lysias charges Eratosthenes with having actually deserted his post in order to be at Athens and share in the revolution. PATROCLES is not known from any other source.

300-1. **τάναντία . . ἔπραττε** 'he was engaged in intrigues against the democratical party.'

302. **τὸν . . μεταξύ βίον**, i.e. his life between 411 B.C. and 405 B.C., in which year the battle of Ægospotami, **ἡ ναυμαχία**, took place.

305. **πέντε ἄνδρες ἑφόροι**. This committee of five, appointed by the oligarchical clubs, was the first step towards the revolution of the Thirty. (See Appendix 'The Thirty'). They called them 'Ephors,' probably in compliment to the Spartans. **ἐπὶ τῶν καλουμένων ἑταίρων** 'by those who were styled their clubsmen.' The influence of the party clubs is noticed by Thucydides (3, 82, 11) as one of the effects of the bitter party spirit generated by the Peloponnesian war; originally, however, though formed for party purposes (**ἐπὶ δίκαις καὶ ἀρχαῖς**, 8, 51, 4), they were within the lines of the constitution.

308. **ὧν . . ἦσαν** we do not know the names of the other three. Probably Theramenes was one.

309. **οὗτοι δὲ φυλάρχους . . φυλακάς** 'and these appointed phylarchs over the city pickets.' **φυλακή** for **φύλακες**. It seems that the ephors got their own partisans appointed phylarchs (ordinarily ten, in command of the tribal cavalry) and gave them the superintendence of the posts of the city guard, usually performed by officers called **φρούραρχοι** (Xen. Econ. 9, 15), to keep in their own hands the control of the egress and ingress through

the city gates. I do not therefore accept the emendation adopted by a large number of scholars from Taylor to Weidner of *φυλάς* for *φυλακὰς*.

311-12. *παρήγγελλον* 'always passed the word.' See on l. 112, *i.e.* they sent orders by their clubsmen to see that the votes of the ecclesia were such as they required (the ecclesia being still nominally supreme). *κύριοι ἦσαν* 'they (these 'Ephors') had unlimited powers.'

314. *ἐπεβουλευσθε* 'you were having plots laid against you.'

315-6. *ψηφίσαισθε . . ἔσεσθε*. For these tenses, see Goodwin, § 217. *πολλῶν . . ἐνδεῶς*, *i.e.* of provisions. For the distress of Athens at this time, see Xen. Hell. 2, 2, 11, *ἐπεὶ παντελῶς ἦδη ὁ σίτος ἐπιλελοίπει*, κ.τ.λ.

316-8. *ὅτι . . ἔσονται . . δυνήσονται*. For the tenses, see 43 Goodwin, § 243. The original mood and tense is retained, for they would have said, *ἐσόμεθα—δυνησόμεθα*.

321-4. *τῶν ἐφόρων* 'one of the Ephors,' see l. 305. *τοὺς . . ἀκούσαντας* 'those who heard it from Eratosthenes himself.' He could not bring as witnesses those actually engaged with him, because they were all either banished or killed, or were prevented by their oaths from coming forward.

324. *ἔσωφρόνουν* 'were in a right frame of mind.'

327-8. *οὐκ ἂν ἐπὶ μὲν . . ἐπὶ δὲ τοῖς . .* In English *μὲν* may be left untranslated, and *δὲ* translated by 'while.' *ἐπὶ . . κακοῖς*, cf. l. 164-6.

331. *ἀνάβητε*. Cf. l. 168.

334-6. *ἄλλων δὲ πολλῶν* 'but of many measures of a different character,' *i.e.* bad. *μὴ . . παρὰ νόμῳ* 'to refuse to hold office at all unconstitutionally.' *ἔπειτα* 'but if he did do so.'

337-8. *εἰεν . . μνησούσιν*. Note the variation of mood. Some read *εἰσι*. *Βάτραχος καὶ Αἰσχυλίδης* two informers employed by the Thirty, whose names we only learn from Lysias. The former is mentioned in the *κατ' Ἀνδοκίδου*, § 45. (Lysias (?) 6.)

341-7. *καὶ μὲν δὴ . . ἀποτρέποντες*. His argument is: 'he 44 showed his ill-will to the Demus by his silence; for a hater of the Demus lost nothing by saying nothing, as there were plenty to do the damage; while a lover of the Demus could have had no fairer opportunity of showing his goodwill by speaking in its defence.' *ἐνταῦθα* 'at that crisis,' 'in those circumstances.' *πῶς οὐκ . . ἔδειξαν* 'of course they could have shown.'

349-55. **ὅπως . . φανήσεται . . ἐναντιούμενος** 'let him, however, take care not to be shown to have opposed the Thirty in open speech.' The pres. **ἐναντιούμενος** is historic. The argument is: if he could safely speak against the wishes of the other members of the Thirty, it is plain that he had great influence, and was not held back from fear at any rate from opposing their tyrannical measures. It was not fear but hatred of his country. **ἀλλὰ μὴ ὑπὲρ Θηραμένους**. We do not hear of Erasthenes' defence of Theramenes, but we know generally that he was of his party, and was one of the two moderates who afterwards remained in Athens when the rest of the Thirty retired to Eleusis.

359. **ὥς . . παραστήσω** 'as I will in both points establish by 45 many proofs.' **παραστήσω** 'I will bring it before you.' Cf. the use of the intrans. tenses, *infra* l. 429.

361. **ταῦτα** *i.e.* the confiscations, murders, etc., which the Thirty were carrying out. **ὁπότεροι** 'which of the two parties in the Thirty,' *i.e.* the extreme party, headed by Critias and Charicles; or the moderate party, headed by Theramenes and Pheidon.

364. **Θρασυβόλου**. See Appendix, 'The Thirty.' Thrasybulus seized Phylè in September and held it through the winter of B.C. 404, as is evident from the storm of snow mentioned both by Xenophon (Hell. 2, 4, 3) and Diodorus (14, 32). **PHYLÈ** was a strong post commanding the pass over Mt. Parnes, by which the road from Thebes to Athens lay, and was 100 stades (about 12 miles) from Athens. Thrasybulus had before shown his devotion to the democracy, see note on l. 295.

367-70. **ἰθὺν . . καταψήφισατο** 'he went with his colleagues (the Thirty) to Salamis and Eleusis, and haled to prison three hundred of the citizens, and voted for their death—one vote being passed upon them in a mass.' This took place after Thrasybulus, in Sept. 404, had occupied Phylè. The Thirty determined to secure Eleusis as a place of retreat; and in order to do this, under pretext of taking a list of citizens in Eleusis fit to act as guards, etc., got all suspected of being opposed to them into their hands; and, next day, summoning a meeting of the Hoplites included in the 'Catalogue,' and the Knights in the Odeon, they secured a vote condemning them all to death (Xen. Hell. 2, 4, 8-10). Xenophon only mentions Eleusinians, but Diodorus (14, 32) adds also Salaminians. See Appendix, 'The Thirty.' Lysias is careful to say, **μὴ ψήφω**; for it was against the law to condemn a number of citizens by one vote of the ecclesia. Each should be subjected to a vote

individually, in accordance with the *ψήφισμα Καννώνου*; a constitutional principle violated in the condemnation of the generals after Arginusæ (Xen. 1, 7, 21-37). Hesychius gives the decree thus (s.v. *Καννώνου*) *διειλημένους τοὺς κρινομένους ἐκατέρωθεν ἀπολογεῖσθαι*. Of Cannonus we know nothing else.

371. *ἐπειδὴ . . . ἤλθομεν*. Late in the year 404 Thrasybulus succeeding in entering the Peiræus and occupying the eastern elevation Munychia, the party of the Thirty occupied the Agora of the western town; and after a battle in which Critias and Hippomachus were killed, the party of Thrasybulus occupied the entire Peiræus, and to them flowed in from all sides members of the democratical party from their places of exile, or escaping from the city (*ἄστυ*) itself.

372-3. *διαλλαγῶν* 'there followed attempts at coming to terms.' The remaining members of the Thirty (except Pheidon and Eratosthenes) retired to Eleusis, and Ten were elected to conduct the government. Diodorus (14, 38) says that they were simply elected as ambassadors with full powers to make the peace. They, however, acted much in the spirit of the Thirty. *πρὸς ἀλλήλους ἔσεσθαι* 'that we should behave to each other,'—but some adjective seems wanting.

375. *κρείττους ὄντες* 'having got the upper hand,' i.e. in the fight between the party of the City and that of the Peiræus. *αὐτοὺς* the remains of the army of the City who stayed for a time to try and make terms. Nep. Thrasyb. 2, 6.

376. *οἱ δὲ εἰς τὸ ἄστυ ἐλθόντες* 'but they went to the upper city and expelled.' *ἄστυ* Athens proper is so called, as distinguished from the lower town or Peiræus. Thus the Thirty had immediately after the death of Theramenes forbidden all whom they did not trust to enter τὸ ἄστυ, confining them to the Peiræus. Xen. Hell. 2, 4, 1. The meaning of *ἄστυ* as a general term for what we should call 'the capital' is illustrated by Isocr. xvi. § 27, where the speaker says that some called Athens *ἄστυ τῆς Ἑλλάδος* 'the capital of Hellas.'

381-3. *Φεῖδων . . . Ἰπποκλῆς . . . Ἐπιχάρης*. These are the only names of the Ten elected after the expulsion of the Thirty which we know. *ὁ Λαμπτρεὺς* 'of the deme Lamptra,' a deme of the tribe Erechtheis.

385-7. *ἐταιρεία*. See on l. 305-6. *πολὺ μᾶλλον* 'they embittered the party-feeling, and the war waged by the City party against the party of the Peiræus.'

390. *ἰσχυρίαντες* 'they were splitting into parties,' i.e. in the 46 Thirty.

393. τὰς ἀρχὰς 'their offices.' The Ten would have all the power of supreme government, each in equal degree.

396-7. ἐκεῖνοι 'the Thirty.' ὑμεῖς he always addresses the judges as though they were identified with the popular party.

401. καταγαγεῖν 'to bring home from exile.'

405. ἔλθων εἰς Λακεδαίμονα. When the first attempts at coming to terms failed, the Ten, and the remains of the Thirty at Eleusis, seem to have made great efforts to induce the Spartans to interfere; and eventually, though direct help is refused, Lysander obtains them a loan of a hundred talents, and gets himself appointed harmost, and his brother Libys admiral (Xen. 2, 4, 28; Diod. 14, 30); and he would have interfered with crushing effect, had it not been for the jealousy or corruption of King Pausanias. See Appendix.

407. Βουρῶν. See on xv. l. 175. This was skilfully contrived to arouse Spartan jealousy, and was plausibly supported by the fact that the exiled Democrats had been eagerly received by various Boeotian towns, and that Thrasybulus had set out from Thebes on his expedition to seize Phylè, with the secret help, Diodorus (14, 32) assures us, of the Thebans themselves.

408. οὐ δυνάμενος. Xenophon says nothing about this failure to obtain help, but he implies that there were difficulties; for he says that Lysander *managed* in their behalf (συνέπραξεν) to get them a loan, and have himself appointed harmost. So that the most that Sparta did was to appoint a harmost known to be hostile to the Democrats, and leave him to do what he liked.

412. ἀρχοντα, i.e. a harmost, or Spartan 'resident.'

419. εἰ μὴ δι' ἀνδρας ἀγαθοὺς 'and they would have done 47 so if it had not been for some good loyal men.' For this compressed use of εἰ μὴ, cf. Dem. 680, ἐξ οὗ κυρωθέντες ἂν, εἰ μὴ δι' ἡμᾶς, ἠδίκηνητο οἱ δύο τῶν βασιλέων. δηλώσατε 'make it clear once for all.' The aor. imperative is used as referring to one particular act, i.e. the punishment of Eratosthenes.

423-4. ὅμως δέ sc. παρέξομαι. ἀναπαύσασθαι the speaker would sit down and rest, while the clerk read over the depositions to the witness, requiring his consent to them by word or sign. See on iv. l. 101. ὡς πλείωτων 'from as many mouths as possible.'

426. Θηραμένους. For an account of the part played by

Theramenes in the Revolution, see Appendix. It may be allowed to add here that this account of him is from a thoroughly unfriendly point of view. I think it is clear, from a careful review of our authorities, that Theramenes was an honest man. But he was a philosopher and a doctrinaire, and had a Socratic ideal of a perfect state which, both in the time of the Four Hundred and in that of the Thirty, he thought he saw his way to realise, but was quickly undeceived by the development of selfish aims in his colleagues. As, therefore, he sympathised neither with the prejudices of the Democrats, nor the self-seeking of the Oligarchs, he came to be trusted by neither.

429-30. παραστή *'in mentem veniat.'* Cf. ii. l. 112. Θηραμένους κατηγορῶ 'I am really accusing Theramenes.'

433. καίτοι σφύδρ' ἄν κ.τ.λ. The irony amounts to a negative. 'He shields himself under the name of Theramenes, he would not have pretended that he took measures for building the walls as a mere member of Themistocles' party, though for pulling them down he gladly avails himself of the plea of being one of Theramenes' party.'

436. οὐ γὰρ. No! for these two men (Themist. and Theram.) have rendered services of quite a different sort.

437-9. ὁ μὲν γὰρ . . . ᾠκοδόμησεν. For the ruse by which 48 Themistocles secured time to build the walls, see Thucyd. 1, 90-2. περιστήκεν 'what has happened to the State is exactly the reverse of what one might have expected.'

440-6. ἄξιον . . . γὰρ. In spite of this unfriendly criticism the party of Theramenes were the moderate party in the Thirty, and might justly appeal to that fact in mitigating the anger of the Democracy. ἀναφερομένας 'resting on an appeal to his name.' Sandys on Eur. Bacch. 29. αἰτίου sc. Θηραμένους. Cf. vi. l. 613.

447. τῆς προτέρας ὀλιγαρχίας, i.e. of the Four Hundred. See on l. 295. B.C. 411.

449-51. τῶν προβούλων ὧν 'one of the (Ten) commissioners,' i.e. the Ten originally appointed (B.C. 411) to propose the revision of the constitution to the ecclesia, which they did in the temple of Poseidon at Colonus, a mile outside the city. Thucyd. 8, 87, calls them συγγραφεῖς αὐτοκράτορες. Harpocration (s.v. συγγραφεῖς) asserts that thirty were elected. ταῦτ' ἔπραττεν 'was abetting this policy.' τοῖς πράγμασι 'this policy.'

453. Πείσανδρον . . . καὶ Κάλλαισχρον. For the former, see on l. 295. Of the latter nothing seems known beyond the fact that he was one of the Four Hundred.

457. μετέσχε τῶν Ἀριστοκράτους ἔργων 'joined the intrigues of Aristocrats.' According to Thucydides (8, 90), Theramenes broke off from the violent faction of the Four Hundred

on the subject of their great submission to the Spartans, and especially in regard to a fort to be built at the entrance of the harbour of Peiræus, which he and his party alleged was to facilitate the entrance of the Spartans. For the name of Aristocrates as a leader of the moderates we are indebted to Lysias, not Thucydides.

460. κατηγορῶν ἀπέκτεινεν 'accused and caused their death.'⁴⁹ Antiphon, the famous orator (some of whose speeches are preserved), of whom Thucydides (8, 68, 2) says that on this occasion he made the best speech in defence within his memory. For the joining of Archiptolemus in his condemnation our authority is Lysias. The rest of the extreme party escaped mostly to Decelea, and one Aristarchus to Œnoë (Thucyd. 8, 98).

461. ὥστε ἄμα . . ἀπόλυσε. He was base in both cases; his loyalty to the Oligarchs enslaved Athens, his loyalty to Athens was the death of his friends.

464-70. τιμώμενος . . πιστεύειν. The speaker now goes on to consider the conduct of Theramenes in the negotiations with Lysander after the battle of Ægospotami. See Appendix, 'The Thirty.'

465. αὐτὸς 'of his own accord.'

471-2. πραττούσης . . σωτήρια 'when the Council of the Areopagus were engaged in measures for saving the city.' The Council of the Areopagus had no legislative or political functions; but in this time of extreme distress, *i.e.* when the city was awaiting its fate at the hands of Lysander, it seems to have temporarily taken the conduct of affairs into its hands. Compare the decree passed afterwards for the restitution of the constitution, which contained this clause: ἐπιμελεῖσθω ἡ βούλη ἢ ἐξ' Ἀρείου πάγου τῶν νόμων ὅπως ἂν αἱ ἀρχαὶ τοῖς κειμένοις νόμοις χρώνται. Andoc. Myst. § 84.

474-5. τῶν πολεμίων . . ποιούνται 'preserve secrets on the enemies' account,' *i.e.* lest the enemy should learn them.

482-4. ἤλπισε 'expected.' οὐχ ὑπὸ Λακεδαιμονίων . . ἐπαγγελόμενος 'not acting under compulsion from the Spartans, but making them voluntary proposals.' An entirely groundless charge against Theramenes. The Spartan Government all along refused to listen to less terms (Xen. Hell. 2, 2, 13-14), though Xenophon does also insinuate that his long delay with Lysander was not loyal (*ib.* 16). The fact seems to be that

he thought submission necessary, and that he was justified therefore in securing it.

491-2. ὁ λεγόμενος . . ἐτηρήθη 'until the expiration of the 50 time mentioned by him had been awaited.' ἐκείνου seems to be Lysander, and the time 'mentioned' to be that fixed by Lysander for the Athenians to make peace. Xenophon says nothing of this. Weidn. reads ὁ ὡμολογημένος ὑπ' ἐκείνων.

492-3. καὶ μετεπέμψατο, κ.τ.λ. 'and he sent for the Spartan ships from Samos.' This really refers to a later period after the peace was made, and Lysander had sailed to Samos. The Oligarchs sent for Lysander to overawe the assembly into electing the Thirty. ἐπεδήμησε 'settled in the town.' The Spartan garrison occupied the Acropolis (*infra*, l. 663) and also the Odeum at its foot (Xen. Hell. 2, 4, 10), with a Spartan harmost Kallibius. The change of nominative is awkward, but ἐπιδημέω must be intransitive.

496. Φιλοχάρους καὶ Μιλταιάδου. Philochares and Miltiades were joint-commanders of the Spartan fleet with Lysander. περὶ τῆς πολιτείας 'about the reform of the constitution.'

502-3. Δρακοντίδης appears in the list of the Thirty, and was probably one of the five 'Ephors' also. See Appendix, 'The Thirty.' ἀπέφαιναν 'was declaring.'

503-6. δμως 'in spite of all the force brought to bear on you.' ἐξεκκλησιάζετε 'you were deciding in solemn assembly.' For the form, see Veitch. The more correct form would be ἡκκλησιάζετε, as being derived from compound substantive, and some would thus write it. For analogous form, see on ἐγκωμιάζω, Rutherford's *New Phrynichus*, p. 82.

510-11. τοὺς τὰ δμοια . . αὐτῷ 'were for the same policy as he was.'

513-15. παρασπόνδους 'guilty of breaking the terms of the truce.' The breach of the treaty consisted in the failure of the Athenians to pull down the specified length of the long walls within the required time. See vi. l. 61. σωτηρίας 'bare existence.'

517. τὴν παρασκευὴν 'the elaborate nature of the plot.' By παρασκευὴν (see ii. l. 122) he means to infer that the question was not an open one, but had been prearranged.

519-20. τοῦτο γοῦν . . συνειδότες 'having at least this to 51 comfort their consciences.'

522-5. **παρήγγαλτο** 'orders had been passed round to them.' See *supra*, l. 311. **ἔφοροι** see on l. 305. **ἐκ τῶν παρόντων** 'of those actually in the assembly.'

530-1. **ἐκείνω**, *i.e.* Theramenes. **ἐν τῇ βουλῇ ἀπολογούμενος** 'when defending himself in the Boule against Critias.' The speech, as given by Xenophon (Hell. 2, 3, 35-49), contains no such admissions. Theramenes details the points on which he split with his colleagues. (1) When they began to arrest good and innocent men instead of the sycophants and other ill-disposed people whom they first attacked. (2) When they decided on the attack upon the Metics. (3) When they disarmed the people. (4) When they hired the Spartan guard.

531-2. **ὀνειδίζων . . κατέλθοιεν** 'reproaching the exiles with the fact that they had been restored by his means.'

535-6. **τοῖς εἰρημένοις . . ἐμοῦ** 'exactly in way just stated by me.' **τοιοῦτων** 'with such a return,' *i.e.* condemnation and death.

540-1. **τολμήσουσιν . . ἀποφαίναν** 'they (*i.e.* those who speak for him now) will have the hardihood to proclaim themselves Theramenes' friends.' Cf. xiii. l. 51, xvi. l. 236.

544. **δικαίως δ' ἂν** 'as he would with equal justice have done in a democracy.' The phrase is elliptical for **δικαίως δ' ἂν δόντος**. For **ἂν** with participle, see Goodwin, § 211. For elliptical use of **ἂν**, *ib.* § 212.

545-7. **δὴς**, *i.e.* at the time of the Four Hundred and of the Thirty. **παρόντων . . ἀπόντων** 'democratical and oligarchical constitutions.' **τῷ καλλίστῳ ὀνόματι** 'the fairest pretext.' Theramenes consistently maintained that the end of his policy was that the 'best men,' **τοὺς βελτίστους**, should possess the supreme power (Xen. Hell. 2, 3, 19-22).

553. **τουτοῦ** 'that man before you,' *i.e.* the defendant Eratos- 52
thenes.

554-6. **μηδὲ μαχομένους . . ἐχθρῶν** 'and not to show yourselves superior to the national enemy when in arms, while you allow yourselves to be beaten by your opponents when you come to votes.'

558. **ἀποῦσι . . τοῖς τριάκοντα** 'those of the Thirty who are away from Athens.' The remaining members of the Thirty, after their defeat in the Peiræus, retired to Eleusis, except Eratosthenes and Pheidon, who stayed at Athens. The party thus at Eleusis was further defeated and scattered a few months

later (Xen. Hell. 2, 4, 43). *ἐπιβουλεύετε* 'concert measures against.' The moderation, however, of the popular party towards the Oligarchs was remarked by Plato (Menex. 234 E). See also Grote's Hist. ch. 66.

561-7. *δὲ καὶ* 'may even.' *οὗτος μὲν . . καθίσταμεν* 'he was then at once prosecutor and judge; in the present state of things he and I are in the ordinary position of prosecutors and defendants.' *τῶν γινομένων* joined with *δικαστῆς*.

568. *ἀκρίτους*. One of the articles of the constitution under 53 the Thirty was that they should on their own authority be capable of condemning to death any persons not on the 'roll,' *κατάλογος* (Xen. Hell. 2, 3, 51).

569. *κατὰ τὸν . . κρίνειν* 'you think it right to let them have a trial according to law.'

570-2. *ἂν* observe its place in the sentence, drawing especially attention and emphasis on *παράνομως*, though it belongs to *λάβετε*.

573. *εἴησαν . . δεδοκότες* 'will they have fully paid the penalty they deserve?' For this periphrasis for a perfect optative, see Madv. § 180 d. It refers to a future supposition as to things that would *then* be past. *Supra*, l. 315.

578. *καλῶς ἂν ἔχοι* 'would full reparation be made?'

582. *ἥντινόν, sc. δίκην* 'any possible satisfaction which you could get.' *ἥντινα* 'of the sort which.'

587-8. *τούτου* 'the defendant.' Cf. vi. 550. *καταπεφρόνηκεν* 'has conceived an utter contempt for.'

592-6. *οἱ οὐ τούτοις . . ἀφήσετε* 'who have come here not so much with a view of defending these men, as from the idea that they will secure complete indemnity for their past actions, and, for the future, license to do as they please, if when you have once got them you let go the men who have been the causes of your greatest evils.'

598. *ὡς καλοὶ κάγαθοι* 'on the ground of their *own* high 54 character.'

600. *ἐβουλόμην . . ἂν* 'I could have wished.' Cf. *supra*, 154. From *ἐβουλόμην* to *ἀπολλύναι* is parenthetical.

605. *οὐδὲ τὰ δίκαια* 'not even bare justice,' *i.e.* to say nothing of special indulgence, which they now ask for these men.'

609-12. διὰ . . . τὸ ὑμέτερον πλῆθος 'owing to' or 'by means of you the people,' i.e. by your votes of acquittal. δεινὸν ἦν 'it was dangerous.' ἐπ' ἐκφοράν ἐλθεῖν 'to undertake the burial.' ἐπὶ 'for the purpose of.' See Aesch. in Ctes. § 235.

619. ὁπότε 'since we see that.' Cf. *supra*, l. 233.

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621-3. ἀντειπεῖν 'to speak in condemnation.' Ἐρατοσθένης. Dative of agent with passive verb. See *supra*, l. 266.

625. τῶν ἄλλων Ἑλλήνων, i.e. of all other Greeks besides the Thirty.

629-31. δῆλοι . . . ὀργιζόμενοι. See on iii. l. 56. 'You will make it plain that you are angry.' So ὀφθήσεσθε . . . ὄντες 'you will be seen to be.'

632. οὐχ ἔχετε, κ.τ.λ. This was one of the pleas of Eratosthenes. See *supra*, l. 188.

640. τοὺς . . . ἐξ Ἀστεος καὶ τοὺς ἐκ Πειραιῶς 'the party of the city and the party of the Peiræus,' referring to the time of Thrasybulus' occupation of the Peiræus. ἄστει is used as before for the upper city or Athens proper. See *supra*, ll. 375-7.

647. τοιοῦτον . . . ἐν φ. See on ii. l. 270.

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647-8. ἡττηθέντες 'being worsted as you have been,' i.e. the city party. τὸ ἴσον cf. 246, for a complete amnesty and restitution were the terms. ἀν . . . ἐδουλεύετε 'you would now have been slaves to these men,' i.e. the Oligarchs.

652-3. συνωφελεῖσθαι μὲν γὰρ, κ.τ.λ. 'For they did not think it right that you should share their advantages, though they were trying to make you share their discredit.' συνδιαβάλλεσθαι 'to lose credit along with them.' Cf. ii. l. 181, and Thucyd. 4, 22, 3, μὴ ἐς τοὺς συμμαχοὺς διαβληθῶσιν εἰπόντες καὶ οὐ τυχόντες. His charge is that they wished as many citizens as possible to be involved in their own guilt, and that was the reason they caused the Three Thousand to vote for the condemnation of the persons they put to death. See on viii. l. 32.

657. ἐν τῷ θαρραλέῳ ὄντες. Thucyd. 2, 51, 8.

662. τοῖς πολεμίοις 'your foreign foes.'

663-7. τῶν ἐπικούρων 'the foreign mercenaries.' Referring to the guard of Spartans and others brought in by the Thirty. See on l. 493. εἰς τὴν ἀκρόπολιν κατέστησαν 'they were brought

and stationed on the Acropolis.' *ἐτι πολλῶν ὄντων* 'though there is much more I might say.'

671. *ἀφηρέθητε τὰ ὄπλα* 'you were deprived of your arms,' 57 *i.e.* shields and spears. This was one of the first acts of the Thirty after forming the 'catalogue'; all others were deprived of their arms (Xen. Hell. 2, 3, 20), which were stored on the Acropolis. For the passive construction 'where the nearer object becomes the nominative, and the accus. of the remoter object remains,' see Madv. § 25.

672. *ἐκκηρύχθητε . . ἐκ τῆς πόλεως* 'you were banished by public proclamation from the city.' This was immediately after the death of Theramenes. See Xen. Hell. 2, 4, 1. Diodorus (14, 5) asserts that more than half the citizens were banished; they were, however, allowed to stay in the Peiræus.

674. *ἐξητούντο* 'they demanded your extradition.' The fugitives had taken refuge chiefly at Megara and Thebes, besides the Peiræus and Oropus. The Lacedæmonians decreed that the Athenian refugees might be arrested wherever they were; but the Thebans retaliated by a decree that 'every house and town should be open to them' (Plut. Lys. 27). The Argives also, in whose town some of the fugitives took refuge, answered the demand by the Spartan Commissioners for their extradition by an order to quit the town before sunset or be treated as enemies (Demos. 197).

680. *ταφῆς τῆς νομιζομένης* 'the customary rites of burial.' See *supra*, 116-8, 148, x. l. 40. For the horror with which this additional cruelty was regarded by the Greeks, see passages adduced by Becker, *Charicles*, pp. 383-4; especially a passage in the Supplices of Euripides (524) which has been supposed to refer to some similar conduct of the Argives, but which, if delivered at this time, would have come home to the people with a special force:—

*νεκροὺς δὲ τοὺς θανόντας, οὐ βλάπτων πόλιν,
οὐδ' ἀνδροκμήτας προσφέρων ἀγωνίας,
θαψαὶ δικαίῳ, τὸν Πανελλήνων νόμον
σώζων, τί τούτων ἐστὶν οὐ καλῶς ἔχον;*

682-3. *βεβαιωτέραν . . τιμωρίας* 'too firmly established to be touched by the vengeance of heaven.'

686. *ἐν πολέμῳ τῇ πατρίδι* 'in their own country, which was now become an enemy's land to them.'

688-9. *ἤλθετε . . Παιραιᾷ*, *i.e.* under Thrasybulus from Phylæ. See l. 371.

690. τοὺς μὲν ἡλευθερώσατε, *i.e.* the citizens in the Asty who 58 were still under the oligarchical Ten.

699. μικρῶν . . ἕνεκα συμβολαίων 'in liquidation of small debts.' See on i. l. 6. ἀν' ἐδούλευον 'would now be serving as slaves.' Cf. l. 648.

706. ἀπέδοντο 'sold.' He does not mean the temples, but the sacred objects of value in them. Most temples had treasures of money attached to them, besides rich offerings and works of art.

715. πεποιθένους 'exacting.' Perf. pass. as a middle. See 59 ii. l. 72, and Index.

716. ἀκηκόατε, κ.τ.λ. 'you have heard with your own ears; seen with your own eyes; experienced in your own persons; you are in possession of the facts;—Record your verdict!'

ORATION VI. [13.]

[This is another prosecution arising out of the judicial murders at the time of the Revolution. When Theramenes returned in the spring of 404 with the conditions of peace, a few patriots were still found who, in spite of the suffering of the people, were for resisting them. The Oligarchical party being in the ascendant in the Boulè, resolved to arrest these men. This they did by using the information of Agoratus, who, it was arranged, should feign to be one of them. Accordingly they, and he with them, are arrested. They were not tried until after the Thirty were established, and then they were tried and condemned by the new Boulè, which was wholly devoted to the Thirty. Agoratus, in feigned alarm, had taken sanctuary in the temple of Artemis in Munychia, but had voluntarily quitted it; showing thereby that he had good reason to expect to be rewarded by the Boulè by exemption from the fate of those whom he had denounced, which in fact took place. The others were condemned and put to death. Among them was Dionysodorus, whose kinsman Dionysius in this speech accuses Agoratus of the murder of his kinsmen and of the other citizens thus put to death.]

Agoratus all along appears to have assumed the rôle of a democrat forced to give unwilling information, and he accordingly joined the Democratic party in Phylè in the latter part of the year 404, but was ill received by them.

The charge is brought some considerable time after the events [§ 83]; and Professor Jebb decides that 'it cannot be placed earlier than 400,—probably it may be placed as late as 398.'

The speech has neither the vigour nor the historical interest of the preceding one. The historical allusions are scattered and summarised, and have not the same appearance of vivid reality. This is partly to be accounted for by the length of time which had elapsed, and partly by the less keen personal feeling with which it is inspired. This is the statement of an able speech-writer, the former the indignant protest of a deeply injured man.

Mr. Grote has accused the speaker of misdating the informations of Agoratus, which should be (he argues) after the surrender, whereas the speaker places them before it. See Professor Jebb [*Attic Orators*, vol. i. p. 271], who does not agree to this view.

The case is heard before an ordinary court, presided over by the Eleven; because the accuser had proceeded by an *endeixis* followed by a summary arrest [§§ 84-6]; for which see also note on iv. 1. 64.]

2. τιμωρεῖν ὑπὲρ τῶν ἀνδρῶν 'to exact vengeance for the men.' For the construction see *infra*, l. 351. The word generally takes the dative of the person avenged, the accusative of the person punished, and the genitive of the crime for which the punishment is exacted.

4-5. κηδεστής . . καὶ ἀνεψιός 'brother-in-law and nephew,' l. 385. κηδεστής will apply to any relation by marriage (κηδος), like the Latin *affinis*. ἀνεψιός, from ἀ [= Sanskrit *sam*, *sa*. Cf. ἀ-κόλουθος, ἀ-δελφός] and νεπ-, strengthened νεπτ-. Cf. Skt. *naptar*, *scion*; Lat. *nepō(t)-s*. Curtius, 267.

6. τουτονι 'the defendant here present.' On the demonstrative *ι* see ii. l. 3.

11. ὃν δὴ 'whose names I assure you you shall hear.' It is difficult to give the exact force of δὴ. It emphasises and draws attention to the *definite* nature of the assertion, as not concerning persons that cannot be particularised. The use of *adeo* is often similar.

13. ἐπὶ 'in the time of.' ἀπέκτανε 'he caused the death of.' v. l. 460.

14. μηνυτής 'informer.' He is not *συκοφάντης* 'getter-up of 60 false charges for personal ends,' but a spy and informer regularly employed by the Thirty. κατ' ἐκείνων 'against them.'

19. δίκαιον καὶ θείον 'in accordance with the dictates of justice, human and divine,' *jus fasque*.

27-8. καὶ δὴ . . ἐπέσκηψαν 'and, finally, what charges they enjoined on us when preparing for their execution.' See *infra*, § 41.

29. *ῥῆδιον καὶ ὀσιώτερον* 'with more satisfaction to your feelings and to your consciences.'

33. *ἐπειδὴ γὰρ*, that is, after *Ægospotami*. The disastrous affair of *Ægospotami* (a small river flowing into the Hellespont, 15 stades above Sestus) took place in the summer of B.C. 405. It was not a sea-fight, but a successful stratagem of Lysander's, whereby he took and towed off almost without a blow 171 Athenian ships, and took 3000 prisoners [Plut. Lys. 10]. Out of the whole Athenian fleet, only 7, under the leadership of Conon, could be got ready in time to escape, besides the 'Paralus,' which escaped to carry the news to Athens. [Plutarch says 8 besides the 'Paralus.' In the fragment of a speech (xxi. *δωροδοκίας*) of Lysias, § 11, the number is put at 12.] The men were on shore and scattered, and could not get to their ships in time to meet Lysander, who rowed swiftly over from the opposite town, Lampsakus, summoned by a signal from his own squadron of observation; Pausan. (4, 17, 3) says, by the treachery of Adeimantus, one of the Athenian commanders. Xen. Hell. 2, 1, 17-32.

34-6. *τὰ πράγματα* 'the government,' *opes*. *οὐ πολλῷ χρόνῳ ὕστερον*. The interval between the affair of *Ægospotami* and the surrender of Athens has been variously estimated. Some say four months, which Clinton thinks too short. Athens surrendered in Munychion (March-April) of B.C. 404; and as Lysander proceeded after his victory leisurely to reduce the various states in the *Ægean* which still remained faithful to Athens, and was not likely to have cruised about the *Ægean* in the winter when it was dangerous, the most probable date for the affair of *Ægospotami* is the early summer of B.C. 405,—leaving an interval of about ten months before his arrival in the Peiræus. *τὸν Πειραιᾶ* 'the harbour of Peiræus' (*Πειραιεύς*). The word stands (1) for the harbour, or (2) for the town, or (3) for the whole peninsula, including the towns of Peiræus and Munychia, or (4) for the walls of Peiræus, Xen. Hell. 2, 2, 20; Plut. Lys. 14.

37-42. For the historical facts here briefly epitomised, see notes on the last speech, and Appendix 'The Thirty.'

44-5. *τοὺς . . προσετικότες . . στρατηγοῦντας . . ταξιαρχοῦντας* 'the acknowledged leaders of the demos, the men serving as Strategi and Taxiarchs.' The first is a non-official position; for the ten Strategi, see Dict. of Antiquities. The Taxiarchs were also ten in number, one from each tribe, and were next in rank to the Strategi,—assisting them in their various duties at home, and commanding the infantry on a campaign, where they attended councils of war. Thucyd. 7, 60.

55-7. **Κλεοφῶν τε . . ταῦτα.** Xenophon (Hell. 2, 2, 15) says that a decree was passed declaring it illegal to propose the acceptance of the Spartan terms in reference to the walls. From this passage it seems probable that Cleophon proposed the decree. See also Orat. xv. §§ 10-14. Cleophon was a prominent member of the Democratical and a i-Spartan party [Aristoph. Ran. 1532, 678]. He advised against peace after Cynossema, 411 B.C., and Cyzicus, 410 B.C. (Aeschin. ii. § 76), the refusal of which Diodorus (xiii. 59) looks upon as the supreme mistake of Athenian policy; again after Arginusae 406 B.C. (Aristot. R. A. 34), and is sneered at by Aristophanes as a low-born demagogue. Thes. 805; Ran. 150. He was said to have been a harpmaker, *λυροποιός* (Andoc. Myst. 19). Mr. Grote [ch. 63] argues that Cleophon was not corrupt in thus advising against peace; and in defence of his character in this respect we have the fact incidentally mentioned that at his death he was found to be possessed of no property at all [x. l. 315 sq.] His death is mentioned as occurring in a 'sedition' (Xen. Hell. 1, 7, 40. Cf. xv. l. 103. Thirlw. G. H. 4, p. 164).

59-60. **ὅτι . . ποιήσεν** 'he said that if you would appoint him ambassador with full powers, he would so manage matters that,' etc. *ὅτι* with infin. is pleonastic, and cannot be justified grammatically. Clyde, § 97. Hence *ποιήσεν* has been altered, probably rightly, to *ποιήσει* by some editors.

61. **διαλεῖν τῶν τειχῶν** 'to make a breach in the walls,' 'to 62 take down a portion of them.' Partitive genitive. The terms finally insisted upon by the Spartans seem to have included the entire destruction of the long walls, and those of Peiræus. But this does not seem ever to have been entirely carried out. The terms originally were that 10 stades of the long walls should come down. *Infra*, § 14. Cf. v. l. 513.

62. **οἶοιτο δὲ** 'and he thought, he said.' *The special use of optative in oratio obliqua has been a transient phenomenon in the Greek language characteristic of its prime.* Clyde, p. 230; Goodwin, § 247.

65. **ὃν τῷ προτέρῳ** 'the man whom the year before you rejected on his scrutiny when he had been elected Strategus.' For the scrutiny (*δοκιμασία*) which each man had to stand before entering on an office to which he had been elected, see introduction to Orat. viii. This rejection of Theramenes, for which this is our only authority, shows how quickly popular feeling veered; for, on the formation of the Thirty, Diodorus (14, 4) assures us that Theramenes was the man whose appointment was gratifying to the Democrats.

67-9. **ἐκείνος . . πολλὸν χρόνον** 'for his part, then, when he

went to Sparta he remained there a long time.' The *μὲν* is answered by *οἱ δὲ*, l. 74. The speaker is referring to two different actions of Theramenes. When commissioned to negotiate he was sent to Lysander, who was not in Sparta but at Samos, and remained with him over three months; on his return with the message that Lysander referred them to the Ephors, he was sent to Sparta, where the terms seem to have been quickly arranged. It is the delay of three months with Lysander that the speaker really complains of. But he regards that and the subsequent mission to Sparta as one transaction.

72. *εἰ διαθείη . . διέθηκεν* 'if he could reduce you to despair, as in fact he did reduce you.' *διαθεῖναι ἀπόρως* is a condensed expression for *διαθεῖναι ὥστε ἀπόρως εἶναι*. Elsewhere he has *μὴ περιδεῖν ἡμᾶς ἀπόρως διατεθέντας μηδ' ἐνδεεῖς τῶν ἐπιτηδειῶν γενομένους*.

74. *οἱ δ'*, answering *ἐκεῖνος μὲν* in l. 68. 'The oligarchical party.'

77. *πρόφασιν . . ἀναπαυσόμενος* 'nominally on the charge of having slept outside the camp,' *quod extra castra pernoctasset*, i.e. when Strategus, we cannot tell on what occasion. Scheibe seems to think that it may mean 'for having absented himself from the camp because he was going to rest.' Francken wished to read *ἀνακαλεσόμενοι*. *εἰς τὰ ὄπλα* 'to the place where the shields were piled.'

80. *παρσκευάσαντες δικαστήριον* 'having packed a court.' Cf. ii. l. 122.

82. *Θηραμένης δὲ ὕστερον*. The mock trial and judicial murder of Cleophon, therefore, took place in the interval between the negotiations with Sparta and the establishment of the Thirty, i.e. in the beginning of 404 B.C., which accounts for Xenophon's curt reference to his death as occurring *στάσεως τινος γενομένης* (Hell. 1, 7, 40).

84. *ταξίαρχων*. See above, l. 44.

85-7. *Στρομβιχίδης*. *Strombichides* was a prominent naval commander in the last years of the Peloponnesian war, i.e. from B.C. 412. See Thucyd. 8, 15-17, 62, 79. The high character he bore is shown by his being selected to command the reserve of ships which the Athenians at length made up their minds to use in B.C. 412, on hearing of the revolt of Chios. *Διονυσόδωρος*, the brother-in-law of the speaker, whose death is the immediate cause of this accusation.

88. *τοιαύτην, ἣν* 'a peace the nature of which we subsequently learnt by experience.' He means that the effect of the terms

enforced by Sparta was to bring about the Revolution. For construction, see ii. l. 270. R. and W. accept the emend. *ἐγνώκαμεν*.

92. *διελέν*. Cf. *supra*, l. 61.

94. *τάς τε ναῦς παραδοῦναι*. The terms were that the Athenians should give up all *except twelve* ships. Xen. Hell. 2, 2, 20.

98. *οὐκ ἔφασαν ἐπιτρέψαι . . γενέσθαι* 'they refused to allow this to take place.'

For the aorist *ἐπιτρέψαι* after *φημί* (which occurs also below, l. 325), instead of the future, on the analogy of verbs of threatening, promising, etc., see Goodwin, Gr. Gr. § 203, note 2; Moods and Tenses, § 23, note 3. Madvig (*Advers.*, pp. 156-182) argues strongly against it, and would always change it to the future. His points are mainly these:—(1) If it is admissible, there is no means of distinguishing the past from the future in the infinitive. (2) It is often coupled with a future infinitive, with the direct purpose of distinguishing the meaning. (3) The number of examples found are few in comparison with those of the future construction. (4) It occurs principally in those authors the MSS. of whose works are modern or inferior. (5) It occurs almost always with forms so near the future forms as easily to be mistaken; as *ἐπιτρέψαι*, *κρατῆσαι*, *παρασκευάσασθαι*, *ἐνεχυράσασθαι*, *δέξασθαι*. At the same time we must notice that in this case no real *futurity* is implied. Their opposition to the peace was instant. Moreover, the infinitive is not oblique but substantival. See W. T. Lendrum, *Classical Review*, vol. iv. p. 100. Cobet, *Variae Lect.* p. 97 sq.

102-4. *οὐδέν γάρ . . προσήκεν* 'for they had no more interest in them than each one of you had.' *καταλυθησόμενον* 'would at once be dissolved as a political body.' He always speaks of the loss of fortifications to Athens as practically the destruction of the Democracy, because Athens would be at the mercy of Sparta, and that always meant Oligarchy in some form or other.

113. *περὶ τῆς ἐλευθερίας* 'in support of freedom,' i.e. of 64 Democracy, just as Cicero constantly uses *libertas*. For *περὶ* see i. l. 1.

120. *ξυναιδότα*. See on ii. l. 113, and Index.

121-4. *οὕτως ἀνόητοι . . καὶ ἄφιλοι* 'so wanting in sense and friends.' *ὥστε περὶ τηλικούτων ἂν . . παρεκάλεσαν* 'as to have been likely to have taken into council.' For *ὥστε*, introducing a conditional result, see Clyde, § 86. The protasis and apodosis would have been *εἰ ἀνόητοι ἦσαν . . Α. παρεκάλεσαν ἂν*,

The position of *ἀν* after *τηλικούτων* ('of such importance'), for the sake of emphasis, should be noticed. *πράττοντες* 'being engaged.'

124. *δοῦλον καὶ ἐκ δούλων* 'a slave and descendant of slaves.' For a similar reproach see xv. l. 46. Agoratus had gained his freedom by pretending to have taken part in the assassination of Phrynichus, see § 71. But though a man might have become legally a citizen, his origin was never forgotten. Readers of Aristophanes know how a foreign or servile origin was the constant reproach against opponents, *e.g.* Cleon and others. It is in bitter sarcasm that the mean origin (*πονηρὸς καὶ κεραιῶν*) of the sausage-seller is put forward as his best claim to demagoguery. Arist. Eq. 186. Cf. Ran. 732.

127. *πιστότερα . . . ὑποφαίνονται* 'might appear somewhat more trustworthy.' The *ὑπό* gives the idea of insincerity or at least indirectness. Cf. Dem. 370, *εἰ μικρὰν ὑπεφάνηται* 'ελπίδα' 'if you had given an indication of the least hope.'

130-2. *ἐκπέμπουσι* 'they (*i.e.* the oligarchical party) commission Theocritus to go before the Boulè.' *τὴν . . . πρὸ τῶν τριάκοντα*, *i.e.* the Boulè which existed between *Ægospotami* and the establishment of the Thirty, who caused another to be elected of their own partizans. *τὸν . . . καλούμενον* 'called the son of Elaphostictus,'—as though his parentage were uncertain. The speaker wishes to allude to Theocritus' low and probably servile origin.

135. *διέφθαρτο* 'had been already tampered with,' *i.e.* by the oligarchical party. *καὶ . . . ἐπεθύμει* 'and were already oligarchical at heart.'

137. *τὴν ὑστέραν βουλὴν . . . ἐβούλευον* 'served in the next Boulè,' *i.e.* that sitting during the Thirty. In this phrase *βουλὴν* is not merely a cognate accusative, but an accusative of limitation; 'the sitting of a particular Boulè,' as we sometimes use 'Parliament' for the period during which a particular Parliament remains in existence.

140-3. *ἐπ' εὐνοίᾳ* 'with any idea of good will to you.' *καὶ 66 ὥς . . . προσέχετε* 'and that you may regard them in that light and that light only.'

144. *ἐν ἀπορρήτῳ* 'with closed doors,' or 'in strict secrecy.'

145-6. *ἐναντιωσόμενοι . . . πράγμασι* 'with the intention of raising an opposition to the Government then being established.' Notice the present participle; it was not the established

forms (τὰ καθεστῶτα) that these men were going to resist, but the innovations in process of being brought in.

149-50. αὐτὸς δὲ . . ταῦτα 'but that he personally would never do.' For *ἀν* with infin. cf. on ii. l. 33: the subject of the infinitive when the same as that of the main verb is not expressed except for emphasis. Goodwin, § 134.

150-1. ἐκ παρασκευῆς 'by previous arrangement.' Cf. on ii. l. 122, and *infra*, ll. 181, 198. ἐμηνύετο pass. impers., but Francken would move ταῦτα after καίτοι as nom. to ἐμηνύετο.

153-4. νυνὶ δὲ 'whereas what actually happened was that it made the following decree.' ψηφίζεται is middle, and an historical present.

156-8. κατέρχονται . . ἄγειν 'the members of the Boulḗ selected for the duty go down to the Peiræus to fetch Agoratus, and falling in with him in the Agora they begin trying to arrest him.' κατέρχονται is properly used of going down from the upper city (ἄστν) to the lower—the Peiræus. The Agora is that of the Peiræus. [There were two, one close to the sea, one farther inland. Paus. i. 1, 3.] W. οἱ δέκα αἰρεθέντες.

159-61. Nikias and Nikomenes are two supporters of the popular party. Nikias is mentioned again in x. § 47. ὁρῶντες . . πόλιν 'seeing that there was something wrong going on in the city.' For οἷα βέλτιστα, in which phrase ἐστίν is omitted, see Madvig, § 96, Rem. 1; Clyde, § 23, obs. οὐκ ἔφασαν, see on iv. l. 39.

162-3. ἀφηροῦντο 'they were for rescuing him.' ἡγγυῶντο 'they offered to give security' (ἔγγυον 'something put in the hand' γυῖον). παράξεν 'that they would produce him,' see on iii. l. 104. Αἱ παρέξεν, Aeschin. ii. § 117.

165. εἰς ἄστν 'back to Athens,' the upper city, opposed to 67 Peiræus, see v. l. 376. Observe the phrase εἰς ἄστν without definite article, as we say 'up town.'

167. τὸν Βωμὸν Μουνυχίαςιν 'the altar of Artemis on Munychia,' see Paus. i. 1, 4. Munychia on the E. of the Peiræus, containing the citadel and a smaller harbour. For the locative Μουνυχίᾳσι [cf. Ὀλυμπίᾳσι], see Goodwin, § 61, note 2.

173-4. ἕως τὰ πράγματα κατασταλή 'until political affairs should be quieted down;' for ἕως with optative, see Goodwin, § 239, 2.

174-6. δεῖ . . ἀναγκασθῆσθαι 'that he would very likely be

compelled.' The future as the original tense and mood in direct speech is retained in the indirect. Goodwin, § 242. βασιανίζομενος he would be subject to the torture as not being an Athenian. *Supra*, l. 124. ὃν ἂν υποβάλωσιν 'whomsoever they suggested.' Goodwin, § 153.

181-2. παρεσκευασμένον, see on ii. 122. *Supra*, l. 80.

186-7. ἀλλὰ . . ὑπήρχε 'Nay,—you were in a much worse case than they.' For the *litotes* of οὐχ ὁμοία for ἡσσώ, see v. 145. The μέν is answered by δέ in l. 192. Observe the balanced sentences ἀλλὰ μέν . . σοὶ δέ, each containing two answering clauses:—(1) πρῶτον μέν . . ἦσαν . . ἔπειτα σφετέραν (2) πρῶτον μέν κίνδυνος . . ἔπειτα οὐ πατρίδα. Cf. xiii. l. 118, 59.

194. οὐ . . ἂν . . ἀπέλιπες 'you would not have quitted.' 68

198. παρεσκευάσθη 'was a carefully prepared plot,' see *supra*, 181.

200-1. σοῦ . . καταμαρτυρήσει 'will prove against you,' l. 339.

206. ἐκομίσθησαν 'they were conveyed,' i.e. Agoratus and his securities. Others read ἐκομίσθη.

212. ἐπ' αὐτοφώρῳ, see on ii. l. 286.

215-6. οὕτω . . ἐργάζεσθαι 'so finely encouraged had the 69
Boulè become for the commission of crime.'

217. αὐτός 'he alone.' Francken would omit it.

218. ἐκὼν 'voluntarily,' because he might have escaped without appearing before the Boulè at all.'

220. ἐν τῷ θεάτρῳ. In the theatre of Dionysus, close to Munychia. Thuc. 8, 93. An assembly was held here also to depose the Four Hundred in B.C. 411.

222-3. στρατηγῶν . . ταξιάρχων, see *supra*, l. 44.

225. παράγουσιν 'they bring him before the people.' For the word, see iii. l. 104.

227. ἂν γενέσθαι. Goodwin, § 211.

234. σχεδόν τι. See iv. l. 32.

237. ἐν κεφαλαίοις 'summarily,' i.e. not in detail.

238-9. τότε καὶ ὁ Δύσανδρος κ.τ.λ. Lysander's first coming

into the harbour about April, B.C. 404; see Appendix, 'The Thirty.'

245-6. ἐν τῇ δικαστηρίῳ ἐν δισχιλίοις 'in the regular law-court, namely, before the 2000 jurors.' The two datives are in apposition. The number of jurors (δικασταί) selected each year was 6000: they were divided into sections of 500, and the numbers of these sections to be engaged in a particular case varied; here four were to try the prisoners. But the Thirty disregarded the order of the Demus, and instead of trying them before a court, had them tried by the Boulè, which we know (l. 130) to have consisted of their own partizans.

250. οὗ τὴν κακοῦ ἡ πόλις 'in what an evil plight the city 71 was.'

251-2. τὴν βουλὴν . . τὴν ἐπὶ τῶν τριάκοντα 'the Boulè which had been elected during the reign of the Thirty,' see *supra*, l. 137.

254-9. The informalities which the speaker complains of are these:—(1) The Thirty occupied the benches which should have been occupied by the Prytanes, *i.e.* those of the Boulè whose turn it was to preside at the Ecclesia, and who should do so also in the Boulè. This would overawe the voters. (2) The voting was open; for though the ballot-boxes (καδίσκοι) were set out, the voting tablets were not put into them, but on the tables. ἐπὶ τὴν ὑστέραν 'the vote for condemnation (τὴν καθαροῦσαν) had to be put on the further table,' *i.e.* on that nearest the seats of the Thirty. [Probably some words are lost here.]

273. τοὺς αὐτῶν 'their own kinsfolk.' Observe that though 72 the persons said to be sent for are all women, the masculine is used, as is the custom in Greek when a number are mentioned but not particularised. καὶ δὲ καὶ 'and among the rest.'

276-8. μῆλαν . . ἱμάτιον for ἱμάτιον see iv. l. 61. The black dress was assumed for other than funereal occasions, see Arist. Ach. 1024; or it would not seem a very pleasant thing for a wife to do in the circumstances. It was not the universal colour in Greece for mourning, see Becker's *Charicles*, p. 399. ἐπὶ τῷ . . κεκρημένῳ 'seeing that her husband had met with such a calamity.'

280. δέθετο 'disposed of.' The proper word for testamentary disposition, see x. l. 255.

287. φράζειν τῷ γενομένῳ 'to tell her offspring,'—from the Greek idea of the son's duty being to avenge his father's murder.

293. σχεδὸν οἶμαι. *Supra*, l. 235.

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299. ὥς σφόδρα ὄμιν κ.τ.λ. 'What a claim Agoratus has on your pity!'—said in bitter irony.

300-4. For this transaction see v. § 52. It took place at the end of B.C. 404, and was an act done to secure a retreat for the Thirty when Thrasybulus was becoming formidable.

311. ταφῆσεσθαι. The duty of providing suitable burial for a parent was of the most sacred and obligatory nature. See Becker's *Charicles*, p. 384, and the law of Solon there quoted from *Æsch. Tim.* 40, μὴ ἐπ'ἀναγκῆς εἶναι τῷ παιδί ἡγήσαντι τρέφειν τὸν πατέρα, μήτε οἰκησιν παρέχειν, ὅς ἂν ἐκμισθώσῃ ἐταρεῖν, ἀποθανόντα δὲ θαπτέτω καὶ τάλλα ποιέτω τὰ νομιζόμενα.

312. ἀδελφὰς ἀνεκδότους 'sisters not yet bestowed in marriage,' which would involve the supply of a dowry by the father, or, in default of a father, by the brother. See x. l. 404. And on the subject of the dowry, Becker's *Charicles*, pp. 480-1. It did not consist of money only, but included clothes and ornaments (*χρυσία*).

315-6. ἂν . . θέσθαι 'would be likely to give.' See *supra*, 74 l. 227. θέσθαι ψήφον 'to put a voting tablet in the ballot box.' τῶν ἡδίστων 'of their nearest and dearest ones.'

317. ὥς understand μέμνησθε from l. 304.

319. τὴν ἀκρόπολιν. The Spartans, after the surrender of Athens to Lysander, put in a Spartan garrison under a harmost, Callibius, who occupied the Acropolis, at the request of the Thirty. See Appendix.

324. ἐξηλάθητε. This refers to the measures taken by the Thirty after the death of Theramenes (autumn of 404). They forbade all who were not in the *κατάλογος* to enter the *Asty*. These persons accordingly filled the Peiræus, and thence in many cases fled to Megara, Thebes, or other places. See xiv. l. 189. *Xen. Hell.* 2. 4, 1.

325. οὐκ ἔφασαν ἐπιτρέψαι 'refuse to allow.' See *supra*, l. 99. οἱ ἀγαθοὶ ἄνδρες 'the loyalists.'

327-8. ἀγαθὸν τι πράξαι τῇ πόλει. The more usual construc-

tion is *πράσσειν τί τινα*. The dative may be regarded as dependent on *ἀγαθόν*.

338-9. αὐτοῦ . . καταμαρτυρεῖ l. 200.

342-3. τάληθῃ εἰσαγγεῖλαι 'to have given true information 75 to the Boulè.

348. ἄν . . ἐπιχειρήσαι 'that he will be likely to try.' See l. 227.

351-2. μὴ καταλυθείη ἄν 'because they feared lest, if that went on, the Democracy might be abolished.' See Goodwin, Moods and Tenses, § 46, note 3. *The particle ἄν is never used with μὴ and subj. It is sometimes used with an opt. with μὴ after verbs of fearing, in which case it always forms an apodosis with the optative.* δὴ πού introducing an absurd or untenable supposition. See iv. l. 4. τιμωροῦντες without expressed object. See *supra*, l. 2. 'They would not, I presume, on behalf of the Democracy, have killed these men because they feared,' etc.

352-3. ἀλλ' οἶμαι . . τόντων i.e. they would have been glad enough of the prospect of the fall of the Democracy, and not have killed men to save *that*.

354. ἀλλὰ like *at* or *at enim*, introducing an objection of the 76 opposite party. vii. l. 334.

357. ὥν μὴ . . ὑπερβολήν 'such that nothing could be worse.' μὴ is used because the sentence is indefinite, forming part of the supposition introduced by *ἔάν*. Not 'the particular wrongs, which there can be nothing to surpass,' but 'if a man has done such wrongs (*indefinite*) as can have nothing to surpass them.' Goodwin, § 283, 5. Donaldson, § 531.

359, ἐκείνων 'these facts,' referring like *ὅδε* to what follows, *οὗτος* to what has preceded. Cf. *ille*.

361. σωθῆναι 'to have got safe off.'

363. καίτοι . . ἐπ' αὐτοῦ 'and, indeed, if you had listened to them,' etc. He suddenly turns to the defendant and addresses him: cp. l. 180.

364-6. ἐκὼν οὐτε ἄκων 'neither with your will nor against your will,' referring to the plea prepared for Agoratus of having acted under compulsion. See *supra*, l. 126. νῦν δὲ 'but as actually happened.' πεισθεὶς see *infra*, l. 427.

368. μέγα τι . . διαπράξασθαι 'you thought to have got some great advantage from them.' See on l. 98.

369-70. οὐκ οὖν . . τυχεῖν 'a fine claim on our pity,—that they found none at your hands!'—said in bitter irony.

372-5. Ξενοφῶν ὁ Ἰκαριεύς must mean 'Xenophon of the deme Icaria,' an Attic deme of the tribe Aegeis. And if the word is genuine it would be an instance of the torture of a citizen; but it cannot have been to extract evidence, for from that a citizen was protected (see *supra*, l. 188), in virtue of a decree of Scamandrius, a repeal of which however had at any rate been proposed; see Andok. *de Myst.* 43. [The reading Καριεύς does not seem intelligible; a Carian is Κάριος or Κάρινος, Plut. Them. 1. Καριδεύς, a native of Carian in Phrygia.] οὕτω 'as you know;' perhaps ὥς ἵστε has been omitted.

376. οὐδένα γὰρ κ.τ.λ. They (Hippias and Xenophon) were not spared by the Thirty, as you were, because they had not by their information brought any Athenian citizen to execution.

383-5. Ἀμφιτροπαιεύς of the deme Amphitropè, of the tribe 77 Antiochis. δημότης 'a fellow demesman.' κηδεστής 'brother-in-law of Critias, who was one of the Thirty.' *Supra*, l. 4.

385. ἡ ἐκκλησία Μουνυχίασι see *supra*. l. 220. οὗτος *i.e.* Hagnodorus.

390. κατὰ . . τοῦτ' 'in virtue of the decree which I here produce.'

394. τάληθ' εἰσαγγεῖλαι see *supra*. l. 342.

397-8. τῷ δημῷ 'the public executioner.' ἀπετυμpanίσθη 'he was beaten to death,' [τύμπαον is from rt. τυπ, τύπ-τ-ω, τύμ-μα. Curtius, 226], *fustuario necatus*; see Shilleto on Dem. F. L. § 150. Demosthenes once again refers to the punishment, Philip. B. 126. It was not the ordinary mode of execution, which was by the hemlock draught; but it seems to be characteristic of times of political revolution and violence. Nothing more is known of Menestratus.

404-5. Ἀριστοφάνει one of the sureties of Agoratus. τότε 78 *i.e.* at the time of his arrest. *Vide supra*, § 25. Χολλιδῶν of the deme Chollidae, of the tribe Aegeis or Leontis, in both of which tribes there was a deme of this name.

407-8. τό γε ἐπ' ἐκείνον εἶναι 'as far as he was concerned.' Cf. the phrases ἐκὼν εἶναι, τὸ τήμερον εἶναι. Goodwin, § 268,

note. *ἐπ' ἐκείνῳ* is proposed by some ; but we have *ὅσον γε τοῦπ' ἐμέ*, Eur. Orest. 1345 ; *τὸ ἐπὶ σφᾶς εἶναι*, Thucyd. 4, 28, 1, and other like instances. *ἐσώθης* he suddenly addresses the defendant. See l. 528.

413-5. *ὡς οὐ καθαρῶς . . βασανισθῆναι* 'that he should be examined by torture as not being a pure-bred Athenian.' See *supra*, ll. 188-371. *τοῦτ'ι* see *supra*, l. 390.

418. *ἀγωνισάμενον τῆς ξενίας* 'by standing his trial on a charge of being an alien' (*δίκη ξενίας*). *τὰ ἔσχατα* i.e. death. The penalty for a false claim to citizenship was slavery ; but in this case he would not only be declared a slave, but punished as a slave, i.e. tortured.

426. *οἶδεν . . ἱεαίνους συναιδῶς* 'knowing nothing against 79 them.' See on ii. l. 113.

427. *πισθéis δὲ ὡς σὺ γε, κ.τ.λ.* 'but being corrupted by the hope held out to you, that you of all people should be admitted to share as a citizen in the constitution then being established.' *πισθéis* implies a corrupt motive. *Supra*, l. 364, and ii. ll. 123, 143.

433. *οὐ πολλοί* 'few.' The negative belongs strictly to *πολλοί*, and is not therefore affected by the conditional particle. Cf. *infra*, vi. 538, *ἐὰν οὐ φάσκη*. Others read *εἰ μὲν οὖν μή*.

435-7. *οἱ μὲν γὰρ στρατηγήσαντες* 'for some of them when they had served as Strategi.' *ἑτέρας . . ἄρξαντες* 'when they had served in other of the great offices.'

440-2. *οἱ δ' αὐτῶν . . περιποίησε* 'and there were others of them who survived and escaped ; and these the defendant, as far as in him lay, put to death with cruelty (and indeed death-sentence was passed on them), but fortune and providence protected them.' The construction is confused by the parenthetical *καὶ θάνατος αὐτῶν κατεγνώσθη*. Cf. vii. l. 129-130.

444-5. *κατελθόντες* 'having come back from exile.' For this technical use of *κατέρχομαι*, see Arist. Ran. 1165, *φεύγων δ' ἀνὴρ ἦκει τε καὶ κατέρχεται*. For other examples, see Index. *ἀπὸ Φυλῆς* this is put generally for the effect of Thrasybulus' occupation of Phylè. The fugitives did not of course come direct from Phylè, but first established themselves in the Peiræus. See Appendix.

451. *Νικοκλέους καὶ Ἀντικλέους* 'slave of Nicokles and 80 Antikles.'

453-5. πολλὰ . . . ὅσα κακὰ . . . ἐπιτετήδευται . . . λέγειν 'considering how numerous are the base and shameful facts of his career, it would be too long a business to recount them.' ἐπιτηδεύειν an intransitive verb, yet takes the neuter accusative of a numeral adjective, which in the passive construction becomes nominative. Madv. § 27, a. *Supra*, v. l. 7.

456-8. συκοφαντίας . . . ἀπέγραφεν. The various forms of legal processes set on foot by this professional informer. For συκοφαντία, see ii. l. 140. δίκη and γραφή are respectively 'a private' and 'public action,' i.e. referring to some personal injury, or injury to the property or right of the State. See Classical Dicty. ἀπογραφή see iii. 16.

460. συκοφαντίας . . . ὥφλησεν 'you convicted him of Sycophancy, and he was fined 10,000 drachmæ.' The fine for this offence lay at the discretion of the judges. Hermann, 136. The first aor. ὥφλησε is very rare. Cobet alters it to ὥφλεν.

465. θάνατος ἡ ζημία ἐστίν. Adultery was punished by death, according to the laws of Draco. Later jurists seem to have distinguished violence and seduction, and to have punished the former by a fine, the latter by death,—a curious reversal of modern ideas; though the husband had always the right to kill the μοιχός if taken in the act. Hermann, § 104. Taylor, Lect. Lys. xii. 3.

469. παραφρυσκωρενόμενος . . . ληφθεὶς 'having been caught 81 in the act of making treasonable signals to the enemy.' The idea of malpractice is supplied by παρά, as in παραπρεσβεύειν, etc. Lamachus was killed early in 414 (Thucyd. vi. 101); the offence, therefore, must have been before that; and though it is idle perhaps to seek to fix the exact time, the occurrences in the autumn of 415, while the Athenians were at Catana, must have given many opportunities for such treason. [Thucyd. vi. 63-70.] For the use of such fire signals as giving definite information, see Herod. vii. 182. Thucyd. 2, 94; 3, 22, 9.

471-4. ἀνδράποδον ἐξήγαγεν 'abducted a slave.' He would thereby incur the punishment of an ἀνδραποδιστής, whether he carried off another man's slave, or a free man into slavery. See iv. l. 64. παιδίσκην ἀστὴς ἐξαγαγὼν 'for having abducted the maidservant of a Corinthian lady.' ἀπέθανε 'was put to death.'

474-7. ἐνθάδε i.e. in Athens. λωποδυτήν ἀπήγαγε 'summarily arrested as a footpad.' See on iv. ll. 60-4. ἀποτυμ-πανίσαι παρέδοτε, sc. τῷ δημίῳ, see *supra*, l. 397.

482. ἡ πού γε 'much more.' See on ii. l. 53.

488-99. ἐπὶ τῶν τετρακοσίων 'in the time of the 400.' For 'the 400' see on v. l. 295. Thucydides (8, 92, 2) says, without giving names, that Phrynichus πληγῇς ὑπ' ἀνδρὸς τῶν περιπόλων τινὸς ἐξ ἐπιβουλῆς ἐν τῇ ἀγορᾷ πληθούσῃ . . ἀπέθανε παραχρῆμα, and goes on to say that the man who actually struck the blow escaped, but that his accomplice, an Argive, was taken and put to the torture. This cannot be reconciled with the statement made by the speaker. The names of the assassins, Apollodorus and Thrasybulus, are also given by Lycurgus, c. Leocr. § 112; he says that the murder took place at night (νύκτωρ), and that the assassins were taken, but afterwards released by the Demus. Hicks (*Greek Inscriptions*, p. 106) reconciles Thucydides and Lycurgus as to the time of the murder by asserting that ἐν τῇ ἀγορᾷ πληθούσῃ refers to the place, not the time; cf. τῇ ἐκκλησίᾳ Aeschin. iii. § 74. An inscription (Hicks, pp. 105-6) exists praising Thrasybulus, on the motion of Erasinides. Plutarch (Alcib. 25) also tells the story, but by a curious mistake assigns the deed to Hermon, who is mentioned in another connection in the same chapter of Thucydides. See Jowett on Thuc. 8, 92.

492. Ἀθηναῖον . . . ἐποίησατο 'made him an Athenian,' i.e. 'voted him the citizenship.'

496. βαδίζοντι 'on foot.' It was close to the Senate House (Thucyd.)

506-12. καίτοι . . . ὄντας. This passage is evidently corrupt. 83 The clause τὰ μέντοι . . . ὄντας looks like a gloss of some commentator explaining the custom alluded to in it, 'and yet if he really did kill Phrynichus he should have had his name inscribed (ἐπιγραφῆναι?) on the same pillar as Thrasybulus and Apollodorus, as being rewarded with the citizenship.' στήλη 'an upright stone' for inscription [Rt. σταλ, στέλ, στέλλ-ω, στάλ-ε. Curtius, 212]. A rider to the inscription quoted on l. 488 does contain the name of Agoratus as well as these two. We learn from ii. l. 25, that Apollodorus was rewarded with a grant of land.

515-17. ἐδίκασε . . . ἐγράφετο, cf. ll. 455-6. For the form ἐξεκλησίαζε, see on v. l. 506. γραφὰς τὰς ἐξ ἀνθρώπων 'every kind of indictment imaginable.' The phrase appears to be used also by Aeschines, τὰς ἐξ ἀνθρώπων πληγὰς, and not to be found elsewhere. Ἀναγυράσιος 'inscribing his name on the indictment as belonging to the deme Anagurus' (Ἀναγυροῦς) of the tribe Aeantis. For if he is a citizen he must have been entered on the roll of some deme and tribe, and unless he were one, he would not be one of those capable (οἷς ἐξεστὶ) of acting as prosecutor in a suit.

522-6. The argument is not a strong one, because his whole case against Agoratus rests much on the fact that, though a person likely to have incurred their resentment, the Thirty *had* spared him, because of his usefulness as a spy, which would not have been at all lessened by his having been one of the assassins of Phrynichus. αὐτοί, i.e. the Thirty and their party.

528-9. εἰ . . . μὴ ἀποκτείνας προσποιεῖται 'if on the one hand 84 he pretends to have killed him, though he did not.' μὴ is not dependent on εἰ, but involves a condition within a condition, 'if he pretends to have killed, and yet if he did not kill' εἰ δὲ ἀμφισβητεῖς in bringing forward the second horn of the dilemma he suddenly addresses the defendant, as in l. 407. The dilemma is this: 'If your pretence of having killed Phrynichus is false, you are a liar; if true, what mischief you must have done to the Democracy to secure your pardon from the Thirty!'

537-43. A third hold on him that you have is this: if forced to confess that he did *not* kill Phrynichus, he will not be able to account for his pretended citizenship, and you can then punish him for illegally taking part in assemblies, lawsuits, etc.

533. ἐὰν οὐ φάσκη see l. 433.

544. παρασκευάζεσθαι 'that he is preparing,'—with an idea of dishonesty. See ii. 122.

545-6. συγκατήλθε see *supra*, l. 444, 'returned from exile with 85 the party of Phylè.' See Appendix, 'The Thirty.' μέγιστον ἀγώνισμα 'the point on which he most relies.'

549. τῶν ὑπὸ τούτου ἐκπεπωκότων 'of those who owed their banishment to the defendant.' Certainly this use of τούτου here is exceedingly awkward, referring, as it must do, to the same person as ὅστις.

550. τούτου sc. the defendant. Cf. v. 587.

552-4. ἀντικρυς 'straight off' 'without more ado.' οὐπερ . . . συλλάβοιεν 'to the place in which they were wont to execute other pirates and thieves when they caught them.' κακοῦργος in legal language meant a 'thief,' one of the class of offenders who could be summarily convicted. Cf. Demosth. 732, where κακοῦργοι πατραλοῖαι ἀσπράτευτοι are classed together, and the first afterwards explained by ἐὰν τι ἀλώ κλοπῆς.

555-6. Ἄνυτος who was afterwards one of the accusers of Socrates. Xenophon (Hell. 2, 3, 42) represents Theramenes as classing him with Thrasybulus, who has generally the sole credit of the occupation of Phylè, στρατηγῶν ἐπὶ Φυλῇ, 'commanding

the expedition to occupy Phylè.' διακείντο 'were in a position.' The form is Ionic, but was used by the Attic writers (*e.g.* Thucyd. 4, 33); the *ε* being always retained in subjunctive and optative, except in the Epic form, κῆται. Il. xix. 32. See Veitch. [The stem is *κει, κεί-μαι, κοί-τη, κοι-μά-ω*. Lat. *qui-eo, ci-vi-s*. Root *Ki*. Curtius, 145.]

562. εἴπερ ἐμελλον σωθήσεσθαι 'if they were to be saved.' For construction of μέλλω see ii. l. 164.

563-66. ἀλλ' ἕτερον 'but here is another fact.' The ταξίαρχος would place a man in the ranks according to his tribe, there being one Taxiarch for each of the ten tribes. See Class. Dicty. and *supra*, l. 45. ἀλιτηρίω 'one polluted,' *i.e.* with the crime of murder. [ἀλιταίνω ἥλιτον 'to sin.']

568. αἱ διαλλαγαι πρὸς ἀλλήλους 'the mutual agreement,' *i.e.* between the party of the city and that of Peiræus. See Appendix.

569. τὴν πομπήν the procession to the temple of Athene on the Acropolis, as a sign of all being once more united under the guardian goddess of the city (πολιούχος).

572. συνέπεμπε τὴν πομπήν 'was taking part in the proces- 86
sion,' *cognate accus.* ἄστυ, see *supra*, l. 165.

574. ἔθεντο τὰ ὅπλα 'had halted'; lit. 'grounded arms.' πρὸς ταῖς πύλαις 'close to the gates.'

586-7. τῇ ἐπὶ Φυλὴν ὁδῷ 'the fact of his having gone to Phylè.' ὑπολαμβάνειν χρὴ 'you must retort by asking him.'

589. οὐκ εἶα, see on iv. l. 39.

595. προθεσμίαν 'statute of limitations.' See on ii. l. 115. 87

599-602. κακόν τι ποιοῦντας 'as being guilty of doing some harm to people.' δέον . . προσήκον *accus. absolute*, see on ii. l. 98.

604. ἐπ' αὐτοφώρῳ τῇ ἀπαγωγῇ see on iv. l. 64.

608. ῥεστώνην 'as though he were, on the one hand, liable 88
to the arrest if the words (ἐπ' αὐτοφώρῳ) had *not* been added to the writ; and yet, on the other hand, considers that their subsequent addition afforded him some loophole for escape.' ὡς belongs to ἐνοχος ὢν. The speaker argues that whatever irregularity there was consisted in the original omission of these words, not in their subsequent addition.

613-18. σώζεσθαι 'to be acquitted.' δοκοῦσι . . . ὅπου ἂν ᾖ 'but I think that the Eleven who received this arrest, not thinking at the time that they were helping Agoratus, and being strongly of opinion that Dionysius made the arrest with strict justice,—by way of forcing him to complete it, added the words ἐπ' αὐτοφώρῳ then or at some subsequent time.' A man summarily arrested was brought before the Eleven, and the speaker seems to mean that they considered the omission of the words ἐπ' αὐτοφώρῳ as a mere technical inaccuracy, and caused the ἐνδεξις to be amended by their addition. But the text is obscure. The argument, too, is fallacious, for in none but a rhetorical sense could Agoratus be said to be detected 'in the act' of murder. δὲ 'a man who.' See on ii. ll. 98, 153.

622. δῆπου 'I presume,' introducing a supposition which the speaker considers manifestly absurd. *Supra*, l. 349.

624. ἔκ γε τοῦ σοῦ λόγου 'according to your argument their will be no murderer producible of the men whose death you caused.'

631-2. δρκων καὶ . . . συνθηκῶν here refers to the oaths and 89 agreement of amnesty made finally between the party of the Peiræus and of the Asty, from which the only exceptions were to be the Thirty, and the Eleven who served under them, and the ten commissioners appointed by them to govern the Peiræus.

633. ἀγωνίζεσθαι 'he is being put on his trial.' See *supra*, l. 418.

636. γοῦν 'at least,' introducing a reason confirming what has just been said, see iv. l. 143. 'By urging the amnesty he acknowledges his crime; at least he is always putting up technical pleas to bar proceedings.'

637. ἐπ' αὐτοφώρῳ the addition of these words, as referred to above, l. 613-8.

638. αὐτῷ δὲ τῷ πράγματι 'but on the bare merits of his case.'

643-4. οὐδὲν ἡγοῦμαι . . . τοῦτον 'I do not consider to be in point as between us and him.' The argument that the agreement, being between the city party and the party of Peiræus, did not cover the case of a man who was of the same party as his prosecutors, has been often blamed as wholly sophistical. But it is not substantially inequitable. Agoratus had deserted the city party, and been rejected by the party of the Peiræus,

and might in a sense be considered outside the agreement altogether; that is to say, if the speaker has given a true view of the facts.

646-7. εἶχον ἄν . . συνθήκαι 'the agreement would have given him something to go upon.'

649. οἱ τοῦτον τιμωρούμενοι 'who are now seeking to punish him.'

653-5. ὑπὸ τοῦ δήμου. Some word or words are lost, perhaps 90 'Ἀθηναῖος πεποιῆσθαι, 'that he has been made a citizen by the Demus.' φαίνεται κακώσας 'is shown to have injured.' See ii. l. 119.

655-7. καὶ ἀφείλ . . ἐγίνετο 'and is shown to have abandoned and betrayed the persons by whose means it (the Demus) was ever exalted and strengthened'; Francken would read προδοὺς πάντ'. ἐκεῖνος refers to the Demus. The imperfect ἐγίνετο is used because the influence of these men was continuous.

659-60. τὸν . . ποιητὸν πατέρα sc. the Demus, as in l. 654. καὶ διὰ τοῦτο 'even for this if there were no other reason.' κατὰ τὸν . . κακώσεως νόμον 'in virtue of the law regarding the doing an injury to a father.' To strike or ill-use a parent was an offence punishable by fine, disfranchisement, or death: the suit was called γραφὴ κακώσεως γονέων. See Arist. Av. 1344; Nub. 1419-1430.

665. ἐπέσκηψαν. See ll. 28, 287.

668. ἔμβραχυ 'in a word.'

676-7. νυνὶ δὲ 'now at any rate.' δὴ emphasises the preceding word, see *supra*, l. 11. ἐπεὶ . . ἀπέθνησκον 'since at the time of their condemnation,' 'when they were being put to death,' imperfect because the whole period preceding their death is meant, during which many were condemned.

680-1. ἐνθυμίθε . . ἐργάσηθε 'and take care that you do not commit what would be the cruellest thing of all.'

683-5. τοῦτο i.e. his acquittal. θάνατον καταψηφίζεσθε 'you are really passing sentence of death upon.'

690-2. οὗτοι . . γινήσονται 'these very men shall pass the 91 same sentence upon them as did the Thirty.'

697-8. καὶ τῶν κοινῶν . . ἰδίων 'both those which were common to the State and those which affected individuals.'

703. ἔτι δὲ προσήκει 'and besides it is but your duty to record a vote opposite to that of the Thirty.'

713-15. πρῶτον μὲν . . ἔπειτα . . ἔπειτα 'in the first place . . in the second place . . in the third place.'

ORATION VII. [14].

[' Though,' says Plutarch, ' we have no account from any writer concerning the mother of Nicias or Demosthenes, of Lamachus or Phormion, of Thrasybulus or Theramenes, notwithstanding that these were all illustrious men of the same period, yet we know even the nurse and paedagogus of Alcibiades.' Doubtless the curiosity and interest felt in the career of Alcibiades was out of proportion to his actual achievements. His beauty, his lavish expenditure, his eccentric wilfulness, his accomplishments, his personal daring, his extraordinary political career,—all made him a favourite object of gossip and amused or malevolent anecdote. But though the people might talk of him with that mixture of admiration and disapproval which is apt to follow the lawless daring of a highborn reprobate, yet he had injured or offended too many individuals to escape the punishment which rhetoricians can inflict. Accordingly we find more than one elaborately worked-up indictment against his memory.

The first is that usually attributed to Andocides (Orat. 4), which at any rate is by some contemporary speech-writer. Another is the one now before us, professedly delivered in a prosecution of his son for a breach of military law, yet quite half devoted to an attack upon the career of the father. We find, too, in the speech written in the defence of this same young man by Isocrates¹ (xvi. *περὶ τοῦ ζήγους*), that the career of the father is the one object of the defence, and we may presume, therefore, was the chief subject of the attack. After reading these speeches, and deducting the most glaring falsehoods, one is surprised to find how weak in some respects the case against him is, and how easy it would be to adopt the more indulgent view of him which Plutarch seems to have entertained.

As for the son, if we may trust the account here given of him, he had all the vices of his father, without his power ; and led a roving, almost piratical, life, without any compensation in the way of public services or private magnificence. Nor has he shared with his father the honour of being remembered. Hardly any particulars of his life are attainable. He tells us (Isocr. xvi. § 45-6) that when he was quite an infant his mother died, and his father was banished (B.C. 415) ; that before he was four years old

¹ *Francken* (Commentationes Lysiacæ, p. 108) argues that this speech of Isocrates was written for Hipponicus, the younger son of Alcibiades, whom *Francken* has himself invented to explain § 28 of this speech. The fact on which he relies is that the speaker of the Isocratean speech says that he was born about 415 (§ 45), whereas in our speech Alcibiades is said to be *ωπαῖος* (l. 204) before his father's death, B.C. 404.

he was in danger of being put to death, being held as a hostage for his father, who failed to appear to answer the charges against him; that he was banished by the Thirty when he was still a child (*παῖς*) B.C. 404-3; that on the restoration of the Demus he did not get the grant of land which others did, in compensation for his property confiscated by the Thirty; and was, moreover, defendant in a suit, the damages in which were laid at five talents. He seems to have inherited the personal peculiarities of his father, and Plutarch (*Alcib. I.*) quotes Archippus the comic poet's description of him: *βαδίζει διακεχλιδῶς θοιμάτιον ἔλκων, ὅπως ἐμφορῆς τῷ πατρὶ μάλιστα δόξειεν εἶναι, κλασανχενεύεται τε καὶ τραυλίζεται.* And this, together with the vituperation of our speech, is all that we know of him.

The present charge against him (*γραφὴ λιποταξίου*) arose from the fact of his having served in the cavalry in a certain campaign; whereas the speaker asserts that (1) he had been put in the list of hoplites by the strategi, and (2) that he had not passed the scrutiny (*δοκιμασία*) which every one by law had to pass before serving in the cavalry. The contention is that the offence of *λιποταξία* may be committed in two ways:—

(1) not appearing in the army when put in the list (*ἀστρατεία*);

(2) falling to the rear on the advance of the enemy (*δειλία*);

and that the defendant is guilty on the first count, because he did not appear, as he should, among the hoplites; and guilty on the second, because his serving in the cavalry instead of the infantry was really *δειλίας ἔνεκα*. And that if his appearing among the knights acquits him of *ἀστρατεία*, he is still liable for serving among the knights without having passed his scrutiny. The penalty in either case is *ἀτιμία*. The trial is before a panel of soldiers, presided over by the Strategi.

The question remains as to what campaign it was in which this happened. There are two indications in the speech,—(1) there was no battle fought (§ 5); (2) this was the first trial of the sort since the Peace, *i.e.* the pacification after the Revolution, B.C. 403 (§ 4). Professor Jebb concludes from these and other considerations, that the expedition meant was that sent out to assist the Thebans and relieve Haliartus, besieged by Lysander, B.C. 395. Before the Athenians arrived, however, Lysander had been defeated and killed, and the Lacedæmonians had to submit to be led back by Pausanias. See note on l. 32, and *Attic Orators*, vol. i. p. 257. Francken, on the other hand, would refer it to the blockade of Ægina by the Spartans in 388 B.C. See *Xen. H. v. 1, 1.*]

4-6. *καὶ εἰ μὴ τις . . . τυγχάνει.* The clause takes the place of an accusative after *προσέκει*, 'It is every one's duty, even if he do not chance to be personally wronged by him, to regard him as an enemy as much as if he had been, because of the

other actions of his life.' ἄλλων, *i.e.* other than the personal wrongs of each individual.

9. τοῦ λοιποῦ 'in the future,' genitive of 'the time within 93 which.' Goodwin, § 179. Cp. νυκτός, ἡμέρας, κ.τ.λ.

10. πεπραγμένα, *sc.* ἀμαρτήματα. ὦν attracted into the case of an antecedent pronoun understood after ἐνίοις. Goodwin, § 153, note 1.

13. πρὸς τοὺς πατέρας, *i.e.* the speaker's father, and the elder Alcibiades.

16-17. μεθ' ὑμῶν 'with your countenance and assistance.' αὐτὸν τιμωρήσασθαι 'to get *full* vengeance on him,' 'punish him once for all.' Notice the force of the aorist.

21. καθ' ἕκαστον 'in detail,' opposed to ἐν κεφαλαίῳ, vi. l. 237.

22-5. εἰκὸς τοίνυν . . γενέσθαι 'Now it is reasonable, gentlemen jurors, that men acting as jurors for the first time since the peace in a trial of this sort should be regarded not as merely jurors, but as law-makers themselves.' νομοθέτας αὐτοὺς the Nomothetae were a select committee of the Jurors for the year appointed to revise the laws but not to make new ones. Poll. 8, 101, Hermann, § 131. He of course here means not that the jurymen were technically Nomothetae, but that they should regard themselves as practically law-makers; insomuch that now, deciding on a case for the first time under the new régime, they would be setting a precedent which would be really a law.

29. διαλαμβάνειν 'define.' The sense of the word may be seen by Demosth. 278, στήλαις διαλαβὼν τοὺς ὅρους, 'having marked out the boundaries by pillars.'

30. μᾶλλον συνόλσαν. See ii. l. 164.

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32. ἐνοχός ἐστι λειποταξίου, *sc.* γραφῆς 'liable to the charge of desertion.' In l. 353 we have ἐνοχος τῇ γραφῇ; cf. l. 44: the dative is the more natural construction, but it admits of the genitive on the analogy of other *verba accusandi*. Madv. § 61.

32-3. μάχην γὰρ οὐδεμίαν γεγενῆσθαι. No direct indication of the campaign referred to is given; but the facts correspond to that of 395 B.C., in which the Athenians sent a force to Haliartus, before the arrival of which the Spartans were

defeated and Lysander killed. Jebb, *Att. Or.* vol. i. pp. 257-8; Xen. *Hell.* 3, 5, 16. τὸν δὲ νόμον καλεῖσθαι 'whereas the regulations of the law are.'

35-6. περὶ τούτου . . δικάζαν 'that the soldiers should try such an one.' The court that tried military offences was composed of soldiers presided over by the Strategist.

37-8. ὅποσοι ἂν . . στρατῷ 'such as fail to appear in the ranks,' i.e. as opposed to those who, though appearing, show cowardice in the battle. This offence, he contends, has nothing to do with a battle; it consists in a non-attendance on parade.

43. τὴν ἡλικίαν ταύτην 'either the age of the defendant,' or (more generally) 'the military age': he says ταύτην as being well known to his hearers, and naturally suggested by the subject. The younger Alcibiades, according to Isocrates de big., § 45, was born in the year of or just before the banishment of his father, B.C. 415. He would therefore be in B.C. 395 about twenty. The military age was from the time a man became ephebus (see iv. l. 209) to sixty.

44. καταλέξωσιν. See on iii. l. 18.

45. ὅλα τῷ νόμῳ i.e. to both provisions of the law,—that 95 against cowardice on the field as well as that which regarded non-appearance.

49-50. παρέσχε . . τάξει 'submitted to be placed in his proper place in the ranks with the rest.' After παρέσχε must be understood ταξιάρχῳ or στρατηγῷ. For the use of παρέχειν 'to place oneself at the disposal of,' followed by active infin., see τοῖς ἰατροῖς παρέχουσι . . ἀποτέμνῃ καὶ ἀποκτείνῃ, Xen. *Mem.* 1, 2, 54 (L. and Sc.) δέον acc. abs. See ii. l. 98, etc.

55. ἂν τις ἀδοκίμαστος ἱππεύῃ 'if any one serve in the cavalry without passing his scrutiny.' The cavalry was under the special charge of the Boulé, under whose auspices the scrutiny would take place. The object of it would probably be to secure that only those of the right class (τίμημα) served in it. This appropriation of cavalry service dates from the time of Solon, but seems to have been loosely observed since Pericles introduced military pay. The Knights received pay even in time of peace, which would partly account for the endeavour of men, not qualified, to be put in their ranks, as we have seen did take place [on iii. l. 18]. See Hermann, § 152. According to Lycurgus (*apud* Harpocr. s.v. δοκιμασία) there were three classes of officials who had to pass the scrutiny, viz. Archons, Strategist, Rhetores,—and besides them the Knights.

60-4. οὕτως . . τοὺς πολεμίους ἔδρασε 'he so feared the enemy.' Besides the social and pecuniary motives for wishing to serve in the cavalry, the less dangerous nature of the service would influence many. τὰ χρήματα αὐτοῦ not αὐτοῦ. Lysias uses αὐτοῦ where no ambiguity is caused thereby nor emphasis required. Cf. l. 235, and for αὐτοῦ l. 177 (Francken). So perhaps αὐτῷ in x. 142.

66. ἢ μετὰ τῶν πολιτῶν εἶναι 'rather than take up his position in the ranks with his fellow citizens.' This of course does not imply that the cavalry were not fellow citizens. The speaker is thinking of the many citizens as good as Alcibiades who were performing the duty which he shirked.

71-4. οὕτω γὰρ . . ἀδικούντας 'for they had laid their plans 96 not on the supposition that the city would perish, but that it would survive and be powerful, and exact punishments from those who broke its laws.' By using παρεσκευασμένοι he means to imply that Alcibiades deliberately and with treasonable design broke the laws (see on ii. l. 122).

76. ἐπιστάμενος sc. ἱππεῦσαι 'without having learnt the cavalry drill.

77. ὥς οὐκ ἐξομόμενον 'as though it would never be in the power of the State.' The accusative (?) abs. following a clause with genitive (ὥς ἀπολουμένης, etc.) is to be remarked. Cf. Thucyd. vii. 25, 9. Plat. Rep. 604 B.

79-81. εἰ ἐξίσταται . . αἰρεῖσθαι. He is speaking especially of military subordination. ὑμᾶς συλλέγεσθαι 'that you soldiers should be empanelled.' See *supra*, l. 36.

82-6. εἰάν—γένηται 'if a man as the enemy are coming on, having been stationed in the front rank, is found in the second.' The genitive τῆς πρώτης τάξεως may perhaps be regarded as a partitive genitive, 'being appointed to form part of the front rank'; or it may be looked upon as a genitive of place like ἀριστερῆς χειρὸς in Herodotus, see Goodwin, § 179, 2. τούτου . . δειλὸν καταψηφίζεσθαι 'to vote such a man guilty of cowardice'; a common construction with verbs compounded with κατά, cf. for instance τῶν ἄλλων μωρίαν κατηγορεῖ, Xen. Mem. 1, 3, 4. ἀναφανῆ 'suddenly turns up'; ἀναφαίνεσθαι conveys an idea of suddenness or unexpectedness, like *repente*. Cf. Dem. Cor. 328, ῥήτωρ ἐξαίφνης ἐκ τῆς ἡσυχίας ὥσπερ πνεῦμα ἀνεφάνη.

88-90. ἡγοῦμαι . . ποιῆτε 'I imagine that you are empanelled 97 not only to punish actual offenders, but also to reduce all other offenders against discipline to a better mind,' i.e. the object of legal penalties is not penal only, but deterrent also. Cf. Plat. Prot. 324 B, ὁ μετὰ λόγου ἐπιχειρῶν κολάζειν οὐ παρεληλυθότος ἔνεκα ἀδικήματος τιμωρεῖται . . ἀλλὰ τοῦ μέλλοντος χάριν, ἵνα μὴ

αὐτοῖς ἀδικήσῃ μήτε αὐτὸς οὗτος μήτε ἄλλος ὁ τοῦτον ἰδὼν κολασ-
θέντα.

102. ἀκοσμοῦντας used here and above, l. 90, in a military sense, 'offenders against discipline.'

108-9. οἱ δὲ ψιλοὶ ἐστρατεύοντο understand ἡδέως ἂν, 'while others would have been glad enough to have served as light-armed troops,' i.e. as archers, slingers, javelin men, etc., who had not to carry the heavy shield and thorax; who were therefore less exposed in battle, and had less exhausting duties to perform. ψιλοὶ is a certain emendation for φίλοι. ἐκινδύνευον sc. ἡδέως ἂν 'would have been glad to run their risk whatever it was.'

120-1. οὐκ ἀξιούντες . . καταγνῶναι 'demanding that you 98 should not condemn.' The negative is joined with ἀξιῶω as with φημί and εἰδῶ, see on iv. l. 39. ὡς ἐκείνον 'on the ground that he,' etc.

123. δν εἰ τηλικούτον 'whom (i.e. the elder Alcibiades) if you had put to death at the age of this young man.' We are reminded of Aristophanes' comment on the policy of the Athenians towards Alcibiades, Ran. 1432, μάλιστα μὲν λέοντα μ' ἢ πόλει τρέφειν | ἦν δ' ἐκτρέφῃ τις τοῖς τρόποις ὑπηρετεῖν.

127. εἰ αὐτοῦ μὲν ἐκείνου 'if while you passed sentence of death upon that personage himself, you shall for his sake acquit his son when he commits a crime.' Alcibiades was sentenced to death in 415 B.C. as contumacious for not appearing to answer the charge of having profaned the Mysteries. Plut. Alcib. 22.

130. μετὰ τῶν πολεμίων i.e. with the Spartans, and especially in the matter of Decelea, Plut. Alc. 23.

131-3. καὶ ὅτε . . ἔσται 'nay, when as a child he had not as yet shown what he was going to be.' The young Alcibiades, we learn from Isocr. de big. § 47, was in his fourth year when he was thus seized as a hostage for his father. He was not put to death, I suppose, because such a cruelty was a freak of freedom beyond even an Athenian demus. For the tense ἔσται retained from the direct speech, see Goodwin, 242 b. ὀλίγου 'within a little.' Goodwin, § 172 b. τοῖς ἑνδεκα παρεδόθη 'was delivered to the Eleven,' i.e. for execution, see iv. l. 60.

140-2. 'The great deeds of our ancestors will not help us to 99 recover from the enemy what *their* ill discipline loses us, and

therefore it is not fair they should escape punishment for the sake of these ancestral achievements.' τὰς . . ἀρετὰς 'the noble deeds.' Cf. Andoc., Or. i. p. 18, ἀξιῶ κάμοι διὰ τὰς τῶν προγόνων ἀρετὰς σωτηρίαν γενέσθαι.

145-7. For the sentiment, see on iii. l. 119.

148-51. ξαιτῶνται 'try to beg him off.' ἀξιῶ—ὀργίζεσθαι 'I think one ought to be angry.' εὔρεσθαι 'to obtain what they sought,' cf. vi. l. 64.

156-7. φιλοτιμούμενοι . . δύνανται 'pluming themselves on their influence in being able to get off even those who have been notoriously guilty of illegal conduct.'

158. πρῶτον μὲν answered by ἔπειτα in l. 161, without δέ. Cf. v. l. 355.

165. αὗτοι οὗτοι 'these very men,' i.e. the Strategi, or men 100 in equivalent positions.

170. μὴδὲν ἔχοντες δίκαιον 'without having any justificatory plea to offer.'

172. ἐπιорκεῖν 'to break your oath,' i.e. the oath you took as jurors. The oath is given in full in Demosth. 746, if it is genuine. See Append. V. There is no special clause which an acquittal in this case could be said to violate, except the general one, ψηφιοῦμαι κατὰ τοὺς νόμους, κ.τ.λ.

178. ἧς . . ἀκούσαι 'which (baseness) it is right that you should hear described.' The thing heard is usually in the accusative, the person in the genitive. We have φθογγῆς κτύπου ἀκούειν in the Odyssey (12, 198), but this usage is wholly Epic. The genitive here is justified by the fact of *πονηρία* not being *heard*, but *heard about*; he might have written *περὶ ἧς*. So in Arist. Ach. 306, τῶν ἐμῶν σπονδῶν ἀκούσατε. Clyde, § 72 f.

180-1. ὥς ταῦτα . . γεγενημένου 'on the plea that although he had committed this fault, yet in other respects he had been a good citizen.'

184-6. τῶν ἀπολογουμένων ἀποδέχεσθε . . ἀρετὰς 'you allow of defendants quoting their own good deeds.' See *Madv.* § 60, 1; *Goodwin*, § 171, note 1.

188. τοὺς φεύγοντας 'defendants,' not this particular defendant, but defendants as a class.

191. παρ' Ἀρχεδήμῳ τῷ γλάμωνι 'at the house of Archedemus the Blear-eyed.' Archedemus was a demagogue who took a prominent part in the prosecution of the generals after the battle of Arginusæ. He held some official position as τῆς Δεκελείας ἐπιμελούμενος, *i.e.* demarchus of the deme Decelea, Xen. Hell. 1, 7, 1, and was attacked by the Comedians as an alien and a vexatious person, see Arist. Ran. 416 :—

βούλεσθε δῆτα κοινῇ
σκώψωμεν Ἀρχέδημον
ὅς ἐπτέτης ὧν οὐκ ἔφυσε φράτορας
νυνὶ δὲ δημαγωγεῖ
ἐν τοῖς ἄνω νεκροῖσι
κάστιν τὰ πρῶτα τῆς ἐκεῖ μοχθηρίας.

To which passage the scholiast quotes a line of Eupolis as referring to the same person, ἐπιχώριος δὲ ἐστὶ καὶ ξένης ἀπὸ χθονός. His personal defect of 'sore eyes' is also alluded to in the Ranæ, 588. For the word γλάμων and its equivalent γλαμυρός (quoted by the scholiast to Arist., from Sophocles), and connected with λημᾶν, λήμη, and the Latin *gramiæ*, *gramiosus*, see Curtius, 541.

191-2. οὐκ ὀλίγα . . ὑψηρήμεν' 'who had been guilty of much peculation of public money.' This was a common accusation to bring against public men, sometimes no doubt deserved, but, as is shown in x. § 48-9, often ill grounded.

193. κατακείμενος 'lying down at full length;' the proper word to express the position of a person lying at table is ἀνακείμενος. For the ἱμάτιον, 'large outer robe,' see 4, 61. It would be taken off and used as a rug. For the meaning of ἐκάμαζε cf. Aristoph. *Plut.* 1040—

Γραῦς. εἴκοι δ' ἐπὶ κῶμον βαδίζειν.
Χρεμ. φαίνεται.
στεφάνους γέ τοι καὶ δᾶδ' ἔχων πορεύεται.

198. ἐπειδὴ φανερώς ἐξημάρτανε 'upon his conduct getting beyond bounds and beginning to be notorious.' Notice the tense and the force of ἐκ.

200. δοτὶς . . διαβέβλητο 'if he lived such a life as to have become scandalous even to that man who used to be the instructor of others in such things,' *i.e.* how bad he must be to shock such a man as the elder Alcibiades! For δοτὶς, see on i. 30. For διαβάλλεσθαι 'to lose credit with,' see ii. l. 181.

201. μετὰ Θεοτίμου . . προῖδωκεν 'having conspired with Theotimus against his father, he betrayed Oreus to him.' We know neither the circumstances nor anything of Theotimus Oreus or Histiaea is a town in Eubœa, and if the reading is

right the elder Alcibiades must have had a castle there. Scheibe reads 'Ορνεᾶς. Orneæ was a town in Argolis, destroyed in B.C. 416 (Thucyd. 6, 7, 2), and it is perhaps more probable that Alcibiades had a castle there than at Oreus; but it is a matter of guess work altogether, and with neither town do we know Alcibiades to have been connected. Moreover, he appears to have been in Thrace at the time. Probably we should read χωρίον, or some such word, instead of 'Ωρεόν.

202-3. ὁ δὲ *i.e.* Theotimus. τὸ χωρίον 'the fortified place.'

205-6. ἐλσπεράττετο 'tried to exact money,' *i.e.* as ransom from 102 his father, as though he had taken the boy prisoner. ἔφασκε 'used to say'; a very characteristic remark.

207. ἐκείνου, *i.e.* the elder Alcibiades, who was murdered in B.C. 404.

208. Ἀρχεβιάδης was one of those declared to be present in the house of Polytion at the desecration of the Mysteries by Alcibiades. Andoc. 1, 13.

209. κατακυβεύσας τὰ ὄντα 'having gambled away all his property.' So Æschines speaks of money: ἐπειδὴ ταῦτα ἀπολώλει καὶ κατακεκύβευτο καὶ κατωψοφάγητο (Timarch. § 95). κύβοι are dice, the game is κυβεία, the gambling house κυβεία or σκιράφεια, see Becker's *Charicles*, pp. 354-5.

210. ἐκ Λευκῆς ἀκτῆς . . κατεπόντιζεν 'setting sail from Leukè Aktè (white headland), he tried to drown his friends,' *i.e.* he acted as a καταποντιστής 'a pirate.' Harpocr. tells us that there were many places called Λευκαί, and that this one was probably in the Propontis. [But if 'Ωρεόν in l. 202 is right, it would seem more naturally to be the Leukè Aktè in Eubœa, which was about thirty-five miles from Sunium, Strab. 343, 10.] Strabo mentions two other places called Λευκὴ ἀκτὴ, one in Thrace in the Propontis, and another in Libya (284, 11; 679, 11).

214. Ἰππόνικος. We do not know the man nor whether he had married Alcibiades' sister, or as Francken supposes was his younger brother (of whom we hear nowhere else), except from this passage; but we know that Alcibiades the elder married a daughter of this family, one of the oldest and wealthiest of Athens, whose representatives were called Callias and Hipponicus alternately. See Dicty. of Biography and Plut. Alc. 8.

215. ἐξέπεψε 'divorced,' said of the man; the woman was said ἀπολείπειν. πολλοὺς παρακαλέσας 'having called many persons to witness it.' No further formality seems to have been required, but a check upon many capricious divorces was secured by the fact that the husband had to restore the dowry to the woman's κύριος, a very ancient custom as it seems from Hom. *Odyss.* 2, 132-3. Such a divorce, however, was disgraceful to

the woman. Becker (*Char.* p. 497) refers to Stobæus, 74, 1, who gives a fragment of Anaxandrides—

χαλεπή, λέγω σοι, καὶ προσάντης, ὃ τέκνον
ὁδὸς ἐστίν, ὡς τὸν πατέρ' ἀπελθεῖν οἴκαδε
παρὰ τάνδρως, ἢ τις ἐστὶ κοσμία γυνή.
ὁ γὰρ δίαυλός ἐστιν αἰσχύνῃν ἔχων.

222. ἀπολογίαν . . ἀμαρτημάτων 'regulating his own life so as to make it a standing defence for his father's misdemeanours.' ἀπολογία is here used metaphorically in a sense nearly equivalent to our 'apology.'

224-6. ὥσπερ δυνάμενος κ.τ.λ. 'as though he would be likely to succeed in transferring to others the very smallest share of the disgraces which belong to himself.' πολλοστὸν 'the many-eth part,' 'one of an indefinitely large number,' just as χίλιοςτος = 'the last of a series of 1000.' καὶ ταῦθ' 'and that too.'

227-30. Here follows an enumeration of the public crimes of Alcibiades; the chief of which, and the one least forgotten, was the part he took in advising the occupation and fortification of Decelea by the Spartans in B.C. 414-3, 'which above everything reduced and wasted the substance of the Athenians.' Plutarch, Alc. 23.

233-5. τούτων 'of this family.' κατελθόντα 'having returned 103 from exile.' see on vi. l. 444. He refers to the return of Alcibiades in 407 B.C. The people met him at the harbour and presented him with garlands, and afterwards voted him garlands of gold and the restoration of his estates. Plut. Alcib. 32-3.

234. εἰθισται 'he has been much accustomed,'—who? αὐτοῦ and τούτων prevent us from taking Alcibiades as the subject of the verb. As there is no authority for the use of εἰθισται as passive impersonal, we must suppose the subject to be the advocate of Alcibiades.

237. διαβεβλήσθαι 'should be prejudiced in his reputation.' See *supra*, l. 200.

238. δωρεὰς . . ἀφειλεσθε. The second disgrace of Alcibiades followed the battle of Notium B.C. 407 (September–October).

244. χρήται παραδείγματι 'he quotes as a precedent.'

245. περὶ τῆς ἑαυτοῦ πονηρίας 'in support of his own baseness.'

247-9. **καὶ γὰρ . . . προσβαλεῖν** referring to the occupation of Phylè and then of Peiræus by Thrasybulus and the popular party in B.C. 404-3. See Appendix 'The Thirty.' **δένδρα τεμείν** they would have to cut down trees for use in fortifications, and also for fire. This was one of the chief mischiefs caused to Attica by the frequent invasions during the Peloponnesian war, see on ii. l. 37. **πρὸς τὰ τεῖχη προσβαλεῖν** 'made assaults on the city walls,' i.e. from the Peiræus.

251-4. **ὥς τῶν αὐτῶν . . . τὴν πόλιν** 'as though, forsooth, men who being in exile invaded their country in alliance with her enemies, were in no worse a position than those who effected their own restoration, when the Spartans were in occupation of the city.' The popular party, he says, certainly made an invasion, but it was when the enemy were in possession. Whereas Alcibiades—when legally an exile—joined these very same enemies in their attacks.

255. **οὔτοι μὲν**, sc. Alcibiades and his friends.

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259-60. **καὶ τοὺς βουλομένους δουλεύειν** 'even those of them who wished to be slaves,' i.e. the party who were content with the rule of the Thirty, and the practical subjection to the Spartans.

260-1. **ὥστ' . . . ποιεῖται** 'So that he uses similar language about the two parties, while the facts are not at all similar.' With **τοὺς λόγους** supply **ὁμοίους**.

266-272. Any one knows enough of politics to be able to tell the enemy what strongholds they should seize, what forts are ill guarded, what are his country's weak points, which of her allies are ready to revolt. To do this only requires a man to be base: it does not show that he is powerful. **βουλόμενος εἶναι πονηρὸς** 'provided he is willing to play the traitor.'

272-9. 'How can it be said that the damage he did us was a sign of his *power*; when on his recall he had no *power* to carry out the war against the enemy, or undo the mischief he had done?'

The cause of Alcibiades' second disgrace was his failure to effect the reduction of Chios and Miletus, which the people confidently expected of him. Plut. Alc. 35. This disappointment was completed by the unfortunate affair of Notium, which, however, was not the fault of Alcibiades (B.C. 407, Sept.-Oct.) **πολλῶν ἦρξε τριήρων** on his return he was put in chief command of the Athenian fleet as one of the ten Strategi, in which office, after his disgrace, he was succeeded by Conon.

285-6. ὑποσχόμενος . . χρήματα this promise was one which 105 Alcibiades had made before, at the time of the 400, see v. l. 295. He found himself baffled in his attempt to obtain Persian money by the friendship formed between Lysander and Cyrus; and was much put to it to find the funds he wanted for his fleet. Plut. Alcib. 35.

287-292. Alcibiades, upon being superseded after the battle of Notium, did not return to Athens, the speaker insinuates, for fear of his εὖθυναί, and doubtless he knew that his life would not be safe. Plutarch (ch. 36) says, 'As soon as Alcibiades heard of this (i.e. that he was superseded) he immediately quitted the army altogether, afraid of what might follow; and collecting a body of mercenaries, he made war upon his own account against those Thracians who called themselves free and acknowledged no king; by which means he amassed to himself a considerable treasure, and at the same time secured the bordering Greeks from the incursions of the Barbarians.' If this is a true representation it will be seen that the expression Θράκης . . ἐβούλετο πολίτης γενέσθαι is a mere rhetorical flourish.

293-6. καὶ τὸ τελευταῖον . . προδοῦναι 'and finally, to cap all his former baseness, he had the hardihood along with Adeimantus to betray the ships to Lysander,' i.e. at Ægospotami. Adeimantus was spared by Lysander after the battle, while his colleague Philocles was killed, and he was vehemently suspected of having held treasonable correspondence with Lysander. Xen. 2, 1, 32. Demosthenes (F. L. 211) refers to a prosecution of Adeimantus by Conon, probably on this charge. The allegation that Alcibiades was involved in the same treason is not supported by Plutarch and Xenophon, who expressly say that he tried to rouse the Athenians to a sense of the danger of their position, and the advisability of removing to Sestos, but was received with anger and contempt, see ch. 36-7,—a statement also confirmed by Nepos, Alc. ch. 8. It was, moreover, against his interest that the Spartans should crush the Athenians, for he had mortally offended the Spartans, and could not be safe if they were supreme. But nothing is too bad for an Attic orator to throw at a political opponent.

302. τὸν πρόπαππον αὐτοῦ 'his (the elder Alcibiades) great-grandfather.' He is mentioned in Is. de big. 10, as taking a leading part in expelling the Peisistratids. Alcibiades the younger there calls him πρόπαππος τοῦ πατρὸς τοῦμου. Herod. 8, 17.

303-5. τὸν πατὴρ πρὸς μητρὸς πάππον 'his great-great-grandfather on his mother's side.' The pedigree is this, Megacles (who opposed Peisistratus)—Cleisthenes (the Reformer)—Megacles (Pind. Pyth. vii. 15)—Deinomache married to Clinias, father of Alcibiades. δὲ ἀμφοτέρους ἐξωστράκισαν it seems doubtful whether the word is not here an anachronism.

Diodorus (xi. 55) supposes ostracism to have been introduced by Cleisthenes after the expulsion of the Peisistratids. See Hermann, § 111. But at any rate, as both this ancestral Alcibiades and Megacles were in leading opposition to Peisistratus or his sons, there is no difficulty in accounting for their being twice banished. See Herod. 6, 123. Ἀθην. πολ. c. 22.

306. οἱ πρεσβύτεροι ὑμῶν 'the older men of the present generation.' This refers to the condemnation of Alcibiades for contumacy. See *supra*, l. 127.

311. τῶν ὄρκων, see *supra*, l. 172.

314. πρὸς μὲν . . ἄλλως δὲ 'should he do so on the ground 106 that while in their public life they have been unfortunate, yet in other respects they are orderly?'

318-19. οἱ δὲ μυστήρια . . περικεκόφασιν. This was the common accusation against Alcibiades, see Plut. Alc. 18-19; Andok. *de Myst.* 62; Thucyd. 6, 27-29. Andocides says that all the Hermæ were so mutilated, except one, that one being close to his (Andocides') father's house. Jowett, Thucyd. l. c.

321-3. ἀδίκως . . πολιτευόμενοι 'without regard to law or justice in their behaviour to the rest of the world, or their political conduct towards each other.' σφᾶς αὐτοὺς 'their own partizans,' nearly equivalent to ἀλλήλους.

327-8. καὶ μὲν δὴ 'now it is true enough.' ἤδη 'before now.'

332. οὐδενὸς ἀξίος ἐστὶν 'has no ability.' ἐπειδὴν ἀπολογῆται 'the moment he begins his defence.'

334. ἀλλὰ μὲν δὴ 'nay, to go on to another point.' ἀλλὰ 107 shows that a possible objection is being anticipated. vi. l. 354.

336. πρᾶττειν ἀδύνατος 'without any faculty for negotiation.'

339. αὐτὸν . . φυλάττεσθαι 'to avoid provoking him.'

345. κατηγόρηκα *peroravi*, 'I have made my accusation.'

349. πολλοστὸν μέρος. see *supra*, l. 224.

350-3. 'Having taken into account what has been omitted as well as what has been said.' ἐνοχος . . τῇ γραφῇ, i.e. *δοσπρατείας*. For ἐνοχος, see *supra*, l. 32.

355. τοὺς ὄρκους. See *supra*, l. 172.

ORATION VIII. [16.]

[This bright and interesting speech is made for the defence on a scrutiny (*δοκιμασία*). The speaker Mantitheus [a man of his name is mentioned by Xen. Hell. 1, 1, 10] has been elected into the Boulè. The members of the Boulè for the coming year had to pass their scrutiny before the existing Boulè, going out of office at the end of the year. His passing the scrutiny was opposed on the ground that he was disqualified by having served in the cavalry under the Thirty [see Lysias *contra* Evandrum, § 10, Andoc. *de Myst.* § 75], and the proof relied on was the fact that his name was on the *συνίδιον* or register of the cavalry at that time. His reply is that he was not at Athens, and therefore did not serve, and that the *συνίδιον* is not trustworthy; secondly, that another document of a more trustworthy character existed, which omitted his name, *i.e.* the list made by the Phylarchs of those who were to refund the allowance made to the knights on their enrolment under the Thirty. He then leaves the main question, and appeals to his private character and public services as fitting him for the post.

The office for which he had been elected is not distinctly stated. But from the passage of Andocides referred to above we learn that an inability to serve as *βουλευτής* was the penalty for this offence—of having served as a soldier under the Thirty. The Demus, though observing the terms of the pacification, were eager to get rid of these men who had served the Thirty as knights, and gladly sent them in 399 B.C. to support Thibron, hoping that they would die abroad. Xen. Hell. 3, 1, 4.

As to the date of the speech, we see from § 15-17 (alluding to the 'Corinthian War,' and Agesilaus in Boeotia), that it must have been later than the autumn of 394 B.C. And if *τοῦ σεμνοῦ Σπειριέως* means Thrasybulus, it would probably be before his death, B.C. 389. But beyond thus limiting it, we can go no further with any certainty.

The sort of subjects on which a man undergoing the scrutiny could be questioned have been indicated by Deinarchus, 2, § 17: *τίς ἐστιν τὸν ἴδιον τρόπον . . . εἰ γονέας εὖ ποιεῖ . . . εἰ ἥλια (ἀλ. ἱερὰ) πατρῶα ἔστιν . . . εἰ τὰ τέλη τελεῖ*. Cf. Xen. Mem. 2, 2, 13; Isocr. 4, 8; Arist. R. A. 55. Mantitheus therefore naturally remarks that in the case of other accusations a man ought to stick to the point at issue (which an Attic orator seldom did), but that in a *δοκιμασία* he is justified in giving a general account of his life and character (§9).

The speech is an instance of dramatic skill on the part of Lysias, who has evidently, in writing it, endeavoured to suit it to the character of the person delivering it. There is throughout a tone of jovial self-confidence, which allows us to form a clear conception of the speaker. The conclusion is abrupt, but pointed and adroit.]

3. πολλήν ἂν . . χάριν εἶχον 'I should have been feeling much gratitude.'

9. ἀηδῶς διακείμενος 'entertaining feelings of dislike.' Cf. Demosth. Lept. 500, οἷς ἀηδῶς ἔχει.

11. εἰς τὸν λοιπὸν χρόνον 'for all future time'; the phrase indicates perpetuity, whereas λοιποῦ = 'in the future,' 'hereafter,' is not necessarily continuous.

14-15. τοῖς καθεστηκόσι πράγμασι 'to the present constitution,' i.e. to the Democracy restored after the Thirty. τῶν αὐτῶν . . ὅμιν 'only the same dangers as you encountered.'

19-22. ἐμὲ δοκιμάζειν 'to pass me on my scrutiny.' οὐτ' 109 ἐπεδήμουν 'nor was I at Athens at all.' μετέσχον . . πολιτείας, i.e. I was not in the κατάλογος even of the 3000 admitted to a qualified citizenship by the Thirty. See Appendix, the Thirty.

23. τῆς ἐν Ἑλλησπόντῃ συμφορᾶς, i.e. at Ægospotami (July 405 B.C.).

24. ὡς Σάτυρον τὸν ἐν τῷ Πόντῳ 'to the court of Satyrus, king of Bosphorus.' The kingdom of Bosphorus included the Tauric Chersonese (Crimea); its capital was Panticapæum (near the modern *Kertch*), on the W. of the Isthmus that joins the Chersonese to the mainland (Cimmerian Bosphorus). It was the chief source of corn supply to Athens (Demosth. Lept. 466). Satyrus I., the fourth king of Bosphorus known to us, began his reign about B.C. 407, and maintained friendly relations with Athens. See Isocr. xvii. For a full account of these kings of Bosphorus, see Clinton's *Fast. H.*, vol. ii. pp. 339-344.

25-6. καὶ οὐτε . . πολιτείας, sc. ἤλθομεν or ἐπεδήμουν 'and I was not at home either while the walls were being taken down or the constitution was being changed,' i.e. in the spring of 404 B.C.

26-8. ἄλλ' ἤλθομεν . . πένθ' ἡμέραις 'five days before the party of Phylæ occupied Peiræus,' i.e. late in the autumn of B.C. 404.

30. ἄλλοτρίων κινδύνων 'other people's dangers.' His argument is that by the time of his arrival in Athens, the affairs of the Thirty were in such a critical state that no one would have voluntarily mixed himself up with them.

31. οὐτ' . . σχόντες 'and they evidently did not entertain any such idea.'

32-3. τοῖς μηδὲν ἑαμαρτάνουσι 'those not guilty of dis- 110
loyalty,' i.e. as they were themselves. The policy of the Thirty
was to involve as many citizens as possible in their own guilt,
whereby they hoped to be more secure. Thus Critias, when urging
the assembly in the Odeum to vote the death of the Eleusinians,
said bluntly, δεῖ ὑμᾶς ὥσπερ καὶ τιμῶν μεθέξετε, οὕτω καὶ τῶν
κινδύνων μετέχειν. τῶν οὖν Ἐλευσινίων καταψηφιστέον ἐστίν,
ἵνα ταῦτά ἡμῖν καὶ θαρρῆτε καὶ φοβῆσθε. Xen. Hell. 2,
4, 9. See on v. l. 652. μεταδιδόναι τῆς πολιτείας, i.e. to put
on the κατάλογος of the 3000 who alone were to have the rights
of citizenship.

34. καὶ τοὺς κ.τ.λ. 'even those who did help them to
abolish the Democracy.'

35. ἔπειτα δὲ 'and in the next place,' should answer to πρῶτον
μὲν, which, however, is not expressed. He is going on to
discuss a second proof, that of the register, and naturally uses
the words which introduce a second clause. ἐκ . . τοῦ σανδίου
'according to the register,' i.e. the official register of the knights
serving under the Thirty. The regular number of knights
seems to have been 1000, taken from the second of Solon's
classes (τιμήματα). Arist. Eq. 225, ἀλλ' εἰσὶν ἱππῆς ἄνδρες ἀγαθοὶ
χίλιοι. Though Æschines (*fals. leg.* 366) says that just after
the thirty years' peace (445 B.C.) there were 1200, as does
Pericles, see Thucyd. 2, 13, 10; cf. Aristot. R. A. 24; Xen.
Hipp. 9, 3. Receiving an allowance (vii. l. 55), a register
would necessarily be kept of them. For σανδίον, a thin board
covered with gypsum for writing, see on λεύκωμα, iii. l. 35.

38. ἐκεῖνος ille, referring to what follows: in l. 45 τοῦτο is
used in a similar sense, contrary to the general practice.

40. τοὺς φυλάρχους ἀπενεγκεῖν 'that the Phylarchs should give
in a return of.' The Phylarchs produced the register (δ πῖναξ) of
the knights in the Senate, Aristot. R. A. 47. See v. l. 309.

41. ἵνα τὰς καταστάσεις ἀναπράξητε 'that you might recover
the allowances.' The allowance or bounty (κατάστασις) paid
to those who served as knights under the Thirty was apparently
to be refunded after the restoration of the Democracy, on the
ground that they had not in the eye of the law served as
knights at all. His argument is that the list made out for
such recovery is a more trustworthy document than the register
kept under the Thirty, which notoriously (he says) included
some who did not really serve, and omitted others who did.
κατάστασις 'allowance to the knights.' Harpocrat. s. v.
explains this word thus: ἔοικε ἀργύριον εἶναι ὅπερ οἱ κατα-
σταθέντες ἱππεῖς ἐλάμβανον ἐκ τοῦ δημοσίου ἐπὶ τῇ καταστάσει.
He then quotes Eupolis from his play Φίλοι (Meineke's fr.
268):—

οὐκ ἐσωφρονήσας, ὧ πρεσβύτα, τὴν κατάστασιν
τῇδε λαμβάνων ἄφνω πρὶν καὶ μαθεῖν τὴν ἱππικὴν.

Though such recovery must have been on a large scale after the Thirty, yet I suppose there was generally something of the sort to be done in the case of those who from various causes did not actually serve. ἀναπράξετε for subj. after historic tenses, see Goodwin, § 216, 2, and v. l. 173. The mood and tense is retained which would have been used in the decree.

44. οὔτε παραδοθέντα τοῖς συνδίοις 'nor my name given in to the Revenue Commission.' σύνδικοι was a title applied to various officers appointed by the State or by the tribes to act in their behalf. But we learn from Harpocration that after the Restoration some special Syndics were appointed to investigate matters with regard to the revenue. See also Hermann, § 151, note 5. Cf. ix. l. 85.

46. ἀποδείξαιαν. 'For the 1st aor. opt. act. in -σαιμι, -σαις, -σαι, the best Attic writers generally, and Thucydides almost exclusively, used the so-called Æolic form — σεια, -σειας, -σειαν.' Donaldson, § 301 (4) Obs. 1. Goodwin, § 115, note 2.

47. αὐτοῖς ζημιοῦσθαι 'to be losers themselves.' Seems to refer to some obligation on the part of the Syndics to make good any deficiency arising from an imperfect return of the persons liable to refund,—not to a *fine*. ζημιοῦσθαι opposed to κερδαίνειν in Plat. Gorg. 490 c. For αὐτοῖς some would read αὐτοῦς, but αὐτοῖς seems rightly to agree with τοῖς φυλάρχοις.

49. τοῖς γράμμασιν 'the writing,' i.e. the register, τὸ σανίδιον. So in iii. l. 37, what had just been called λεύκωμα is referred to as ἡ γραφή.

53-4. οὐκ ἂν . . πεποιηκώς 'I would not have denied it, as though I had been thereby guilty of a terrible crime.'

56. δοκιμάζεσθαι 'to pass the scrutiny.' *Supra*, l. 19.

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59. ἱππάρχους 'commanders of cavalry.' Harpocration tells us that there were two at Athens, and that the Phylarchs acted under them. In the decree quoted in Dem. de Cor. 290, the ἱππαρχος is coupled with στρατηγός, the leader of the infantry, τὸν στρατηγὸν καὶ τὸν ἱππαρχὸν τὰς πεζὰς καὶ τὰς ἱππικὰς δυνάμεις Ἐλευσινάδε ἐξάγειν. For the number see Dem. Phil. i. 47, οὐκ ἐχειροτονεῖτε δ' ἐξ ὑμῶν αὐτῶν δέκα ταξιάρχους καὶ στρατηγούς καὶ φυλάρχους καὶ ἱππάρχους δύο;

61-2. περιφανῶς 'before the whole world.' καταψεύσασθαι 'to lie against me.' Cf. κατασκέδασται, iv. l. 159. ἀνάβηθι,

v. l. 167. The person summoned to bear witness is the Phylarch of the speaker's tribe.

67-9. ἐν . . ταῖς δοκιμασίαις 'in trials concerning scrutiny.' παντὸς . . διδόναι 'to offer to give an account of one's whole life.' γυνὴ δὲ sc. ἦλθε.

74-5. ἐξέδωκα 'gave them in marriage,' i.e. with a dowry or portion. 112 This was the duty of the κύριος of a woman, who in default of a father would be the brother, see x. l. 404. ἐπιδοῦς 'giving them as dowry,' see xvi. l. 48. The word implies giving something *besides*. Thuc. 2, 101 ὑποσχόμενος ἀδελφὴν ἑαυτοῦ δώσειν καὶ χρήματα ἐπ' αὐτῇ; Eur. Hipp. 628. πρὸς τὸν . . ἐνευμάμην, sc. τὰ πατρῶα 'I made such a distribution between myself and my brother.' Cf. x. l. 300. The middle, since the distributor takes a share.

78. μὴδὲ πρὸς ἓνα 'before no one single magistrate.' μοι . . ἔγκλημα 'charge *against* me.' Technically ἔγκλημα is the summons to attend served on the defendant in a suit. It is here used as a general term for a 'charge,' the person *against* whom it is made is in the dative. Cp. a similar meaning and construction in iv. l. 154.

82-3. κύβους 'dice.' See on vii. l. 209. διατριβὰς ποιούμενοι 'who as it happens spend their time.' Cf. Andoc. (?) 4, § 22, αἱ τῶν νεῶν διατριβαὶ οὐκ ἐν γυμνασίοις ἀλλ' ἐν δικαστηρίοις εἰσιν.

85. λογοποιοῦντας 'spreading false reports.' Cf. xi. l. 101, συμφορὰς λογοποιούσι. See Theophr. Char. viii. Plutarch, Nic. *sub fin.*, and Wayte on Dem. Timocr. 705.

86. εἰ τῶν . . ἐπέθυμούμεν 'if I and they had had the same tastes.'

89-90. δίκην . . γραφὴν . . εἰσαγγέλλαν 'private suit,' 'public suit,' impeachment before the Boulè.' See vi. l. 456.

92-4. τοίνυν 'moreover,' introducing a fresh point. See Index. οἶον . . παρέχω 'how well I have served the State.' The historic present is used, as the effect of his service still remains.

94-7. πρῶτον . . βοηθεῖν. This refers to the expedition mentioned in the introduction to the last speech, sent to Haliartus in Bœotia to support Thebes against Sparta; and in which no fighting was done by the Athenians, as Lysander was defeated and slain before they arrived, B.C. 395. Xen. Hell. 3, 5, 16 f. ὑπὸ Ὀρθοβούλου κατελεγμένος 'having been put in the list of the cavalry by Orthobulus.' This Orthobulus must

have been either Phylarch of Mantitheus' tribe, or ἱππαρχος. See *supra*, ll. 49 and 59. For καταλεγμένος, see iii. l. 18.

97-99. ἐπαδὴ . . νομίζοντας 'since I saw that all thought that while the knights were of course safe, there was in their opinion danger to the hoplites.' εἶναι δὴ the δὴ makes the sentiment peculiarly that of others, not the speaker's. The sentence is made awkward by the two participles after ἐώραν of nearly the same meaning, νομίζοντας and ἡγουμένους.

101-2. ἀδοκιμάστων παρὰ τὸν νόμον. Cf. vii. l. 56. ἔφην . . 13 ἐξαλείψαι με 'I bade Orthobulus scratch out my name.' For this use of ἔφην Markland quotes Xen. Cyr. 4, 6, 11, & οἱ Μάγοι ἔφασαν τοῖς θεοῖς ἐξελεῖν.

105. ἀνάβηθι. See v. l. 167.

107. τῶν δημοτῶν 'the members of my deme,' i.e. those of them who were on the catalogue for service.

109. ἐφοδίων means of providing the necessary outfit and provisions for a campaign. Each man had to bring provisions for three days, σιτία ἡμερῶν τριῶν. See Arist. Ach. 197; Eq. 1079. Pax. 312. Thucyd. 1, 48, 1.

110. τοὺς ἔχοντας 'the rich,' Eur. Alc. 57, πρὸς τῶν ἐχόντων, Φοῖβε, τὸν νόμον τίθης.

115. γένηται. For the mood see *supra*, l. 41.

117-8. μετὰ ταῦτα . . γενομένης. The expedition to Corinth ('Corinthian war') was in B.C. 394. The Athenians supplied 6000 hoplites, having formed a league with Corinth and Argos against Sparta, which was joined by many other States,—the allied army mustering 24,000 hoplites. Xen. Hell. 4, 2, 17. The Athenians suffered severely in the engagement, *ib.* 21, which took place between Nemea and Sikyon, *ib.* 14.

119. ἀναδυομένων 'trying to shirk the post of danger.' This would be exactly the δειλία of vii. l. 34.

120-2. τῆς πρώτης τεταγμένος, sc. τάξεως, see vii. l. 84. τῆς ἡμετέρας φυλῆς. The men were drawn up according to tribes. In this battle six tribes were stationed opposite the Spartans, four opposite the Tegeatans. It was the former that suffered so severely; the four escaped almost without loss. Xen. Hell. 4, 2, 19-21. ἐνθανόντων offends the critics as a poetical word; the ἐν refers to the φυλή if it is to stand.

123-4. ὕστερον . . ὠνειδικότες 'I retreated *after* this fine gentleman of Steiria, who has been reproaching all the world with cowardice.' 'All the world' apparently means himself. Who the σεμνὸς Στεριεὺς is we cannot be sure; probably it is Thrasybulus, who was of the Deme Steiria (Xen. 4, 8, 25), a deme of the tribe Pandionis, which we therefore conclude was Mantitheus' tribe. 114

124-8. καὶ οὐ πολλαῖς ἡμέραις ὕστερον κ.τ.λ. At the time of the Spartan success above described Agesilaus was in Asia. He had been summoned home by the Ephors on the proclamation of the war (Nepos, Ages. 4), and was hurrying back to bring aid, B.C. 394. He heard the news of the Spartan success when at Amphipolis; thereupon he proceeded through Macedonia and Thessaly. In the latter place he met and defeated in a skirmishing affray some troops of Larissa and other towns which were friendly to the Bœotians; and on the next day marched over the mountains of Phthiotis (Orthrys, which Xenophon calls τὰ Ἀχαικὰ τῆς Φθίας ὄρη), and then found himself in a friendly district until he arrived in Bœotia, where he was met by the forces of the allies, Athenians, Argives, Corinthians, and others, whom he defeated in the plain of Coroneia [Xen. Hell. 4, 3, 1-17]; meanwhile the naval battle of Cnidus had taken place, in which the Lacedæmonians were defeated and their commander, Peisander, slain [*ib.* 10-12]. εἰς . . Βοιωτίαν ἐμβαλόντος 'having effected his entrance into Bœotia.'

131. ἀγαπητῶς . . σεσωσμένους 'having got off safe, to their relief,' implying that it was more than they had a right to expect.

133. ταξίάρχον. See on vi. l. 44. ἡμετέραν, *i.e.* of my tribe. See *supra*, l. 121.

139-140. οὐχ ὥς οὐ δαὸν . . μάχεσθαι. The dread of meeting the Spartans in the field had been heightened by the recent affair at Corinth, where it is illustrated with grim humour by Xenophon, who tells us that at first the Bœotians were on the left, *i.e.* opposite the Spartans, and would not fight; but when they had yielded this post to the Athenians, and were opposite the Achæans, they 'immediately declared that the sacrifices were favourable for a battle.' Xen. Hell. 4, 2, 18.

141-3. ἀλλ' ἵνα . . καθιστάμην . . τυγχάνοιμι 'But in order that if ever I were, contrary to all justice, brought to any trial, I might, with a better reputation for valour in your eyes, get full justice.' If this were really Mantitheus' motive, it

seems to indicate some uneasy feeling as to the interpretation likely to be put on his conduct in the Corinthian war.

150-1. ἐκ τῶν τοιούτων 'on consideration of actions such as 115 these.' κομῇ 'is somewhat dandified' (lit. 'wears long hair'). [The ingenious emendation for τολμῇ, a word applied to the knights, see Ar. Eq. 580, μὴ φθονεῖθ' ἡμῖν κομῶσι, and referring originally perhaps to an imitation of Spartan customs.]

155. ἀπ' ὀψέως 'from outside appearance.' Cf. Dem. (?) 1403, κάλλος ἐπὶ τῆς ὀψέως, σωφροσύνην δ' ἐπὶ τῆς ψυχᾶς, ἀνδρεῖαν δ' ἐπ' ἀμφοτέρων τούτων . . . ἔχοντας. Cf. Thucyd. 2, 37, 4.

157-8. μικρὸν διαλεγόμενοι 'speaking in modest terms.' κοσμῶς ἀμπεχόμενοι 'dressing unobtrusively.' Opp. to περιττῶς ἀμπεχεσθαι. The speaker seems to have been accused of swaggering and making a great to do about his valour.

163. νεώτερος ὢν. An ephebus could not speak or vote in 116 the ἐκκλησία. But after his two years as ephebus, i.e. about twenty, any citizen could do so. The exercise of this privilege, however, seems to have been modified by public opinion.

166-7. καὶ . . . δέοντος 'I seem even to myself to be somewhat more ambitiously disposed than I ought to be.' For διατεθῆναι, cf. iii. l. 102. φιλοτιμώτερον is an adverb. 'But if it be a sin to covet honour, I am the most offending soul alive.'

170. τούτους 'persons of that sort,' i.e. who take part in public affairs [πράττουσι τὰ τῆς πόλεως]. For the discredit attaching to indifference to public business, see on iv. l. 70.

174-5. οὐ γὰρ . . . ὑμεῖς 'The whole matter is in your hands,' i.e. you can elect to power, or reject the advice of, such men at your discretion, and therefore you need not be annoyed at those who come forward with advice. [W. holds something lost here.]

ORATION IX. [17.]

[This is a speech on an interpleader (διαδικασία) i.e. on the question of a prior lien upon a property claimed by the speaker.

The speaker's grandfather had lent Eraton two talents. On Eraton's death his property was divided between his three sons, Erasiphon, Eraton, and Erasistratus, who failed to pay the interest on this inherited debt. The speaker's father could not recover at first owing to there being no courts sitting during the year of

the Thirty; but in B.C. 401-400 did succeed in getting a verdict for the whole debt (*i.e.* principal and interest) against Erasistratus, the only one of the three brothers then in Athens. He then appears to have died, and the speaker as his heir obtained possession of some property of Erasistratus' at Sphettus, and was engaged in an action for the recovery of some more at Kikynna, when the whole aspect of the case was changed by a confiscation (we do not know for what reason) of the entire estate of Eraton.

Up to that time two distinct steps had been taken by the speaker to obtain this property at Kikynna, in which he was resisted by the relations of Erasiphon. He first obtained leave (*ἐλαχεν*) to bring in his suit before an ordinary court. This, however, was quashed by Erasiphon's relations demurring that they being *ἐμποροὶ* the suit should lie before the Nautodicæ. The speaker accordingly went again before the Nautodicæ and obtained leave to bring his suit before their court; but for some reason it was either not tried or at any rate not decided.

The estate having been meanwhile confiscated, even that part of it of which he had been in actual possession, the speaker commences a suit against the State to assert his claim. He only asks for a third, though he professes that the whole was equitably his.

The case is heard before an ordinary Court, and the fiscal commissioners (*σύνδικοι*) either preside or are present in Court. § 10.

The date of the speech may be within a little decided from indications in it. The speaker's father won his suit in B.C. 401-400 (§ 3): the speaker then succeeded his father, and at the time of speaking had been in possession of the property thus obtained nearly three years (§ 5). This brings us to 398-7 B.C., unless a longer interval intervened between his father's successful action and death. We may see also that the trial, if in the year 398-7, was after the winter months (§ 5).

The speech is rendered somewhat difficult by the technical language and arguments, and at least in one passage (§ 4) by some confusion in the text. It is without rhetorical flourish or artifices, and rests solely on plain statement supported by evidence. The speaker even abstains from all appeal to the feelings or generosity of the judges, unless indeed we consider that the abruptness of the concluding paragraph is to be accounted for by a loss of some text.]

1-2. *διὰ τὸ . . εἶναι* 'because it is my wish to be a good 117 citizen.' Lit. 'worth something,' *i.e.* to the State.

4. *τῶν μὴ προσηκόντων* 'things not immediately concerning myself.'

7. *μὲν οὖν* 'however.' The *μὲν* indicates some clause sup-

pressed. 'I *think* I can do so much, but anything more I fear I could not do.'

8. τὰ πεπραγμένα ἡμῖν πρὸς Ἐράτωνα 'the transaction between me and Eraton.'

10. διαδικασία properly means an 'interpleader,' i.e. a trial as to a previous claim to that which the speaker originally raised. Thus the speaker wished to establish a claim on the property of Eraton, and had partially done so, but then the prior claim of the State came in to that property on confiscation, and this had to be first tried. See Aesch. in Ctes. 146. In l. 81 we have διαδικασμα for 'the claim itself,' whereas διαδικασία is the trial of such claim.

12-15. δανείσατο . . δανείσαι 'borrowed' . . 'to lend.' The middle means to get lent for oneself, i.e. to borrow.

16. ὅσα ἀφελήθη 'how much he made by it.' He infers that he was employing the money in some business.

17. παραγεγεννημένοι οἷς . . ἔπραττε 'were cognisant of his business transactions.'

21. καὶ τὰλλα τὰ συγκείμενα 'and all other details of the 118 bargain.' What these were beyond payments of the interest we cannot guess. For the amount of interest usual in Attica, see Boeckh, pp. 123-126. He says the lowest was 10 per cent, the highest 36 per cent.

24-5. ἐν . . τῷ πολέμῳ i.e. in the year of the Revolution, B.C. 404-3. οὐκ ἦσαν δίκαι 'there were no courts sitting for private suits.' At the Restoration such confusion as to the laws was found to exist, and so many were involved in breaches of them, that a commission of revisers was appointed, and an interim decree passed that until this revision was completed the old laws of Draco and Solon were to be held as sufficient. Andoc. 1, 82-4.

27-8. ὅτε περ . . ἔδικάζοντο 'as soon as home suits were being heard.' δίκαι ἀσικαὶ seem to mean suits between citizens and on matters which affected the home business or trade, as opposed to ἐμπορικαὶ δίκαι, i.e. relating to foreign trade. Hesychius has, ἀσικοὶ νόμοι 'οἱ κατὰ τὴν Ἀθηναίων πόλιν, ἦσαν γὰρ καὶ ἐμπορικοὶ, i.e. some laws concerned home matters, others foreign trade.

28-31. λαχὼν . . Ἐρασιστράτῳ 'having obtained leave to

bring a suit into Court against E. for the whole debt, *i.e.* in the preliminary trial or *ἀνάκρισις* before a magistrate: the successful suitor was said *λαγχάνειν δίκην*, the magistrate was said *εἰσάγειν δίκην*. See Dicty. of Ant. s. v. *εἰσαγωγεύς*. For *συμβολαίου*, see on i. l. 6. *κατεδικάσατο* 'he obtained a verdict against him.' *ἐπὶ* . . *ἀρχοντος* in the archonship of Xenænetus, *i.e.* B.C. 401-400.

35-6. *ἀπογραφῶν* 'the official schedules.' See ii. l. 10; iii. l. 16. *τρῆς γὰρ* . . *ἀπογεγράφασι* 'for three or four persons entered the items.' Does he mean that three or four distinct officers entered the items, or only that it was done three or four times? An *ἀπογραφὴ* was under the jurisdiction of the Eleven or of the *σύνδικοι* (viii. l. 44); and in this case the latter seem to have been acting, see *infra*, l. 85. He probably means that three or four lists had been made at different times either by, or by the order of, these *σύνδικοι*.

36-40. Now one thing at least must be clear to every one,—'they would not, when making a schedule of Eraton's entire property, have passed by anything else of Eraton's that it was possible to confiscate,—not even that part of it of which I have for some time past been in actual possession.'

The point of this passage (of which the text is in great confusion) seems to be this: the speaker wishes to show that the *whole* of the original property of Eraton is in the *ἀπογραφὴ*, though he himself is credited with having a third of it. He tries to prove this by saying that the syndics had to make a *complete* schedule, which they did with unusual care, and must have included even the third part, which he had taken possession of; for in the eye of the law that was liable as part of Eraton's property. He wishes to show this, lest the judges, thinking he had already got his third of the property, should be inclined to decide that he had enough and need not receive any more; whereas he maintains that he has *none*, and now can get none, for the State has it all.

41. *οὐδ' ἐτέρωθεν* 'not from the other side either,' *i.e.* if you 119 confiscate the property scheduled, there will be nothing left for me to recover my debt from; my only hope therefore is in you; from the other side (*i.e.* the property of Eraton) I can get nothing.

43-4. *ὣς* . . *ἀκούσατε* 'but now let me show you, besides, in what a different spirit I make my claim against you from that in which I made it against private persons.'

48-52. *ἀντιδικῶν* . . *ἡττήθη* 'pleaded as defendant in a suit, and

was defeated.' See on ii. l. 89. τὰ . . Σφηττοὶ . . μεμίσθωκα 'I have let the property at Sphettus for the last three years,' i.e. I have been in actual possession, and behaved as the owner, of this part of the property, which is now included in the schedule of confiscation. Sphettus was a deme of the tribe Acamantis. τῶν δὲ Κικυνοῖ . . ἔχουσι 'and I was engaged in a lawsuit with the occupiers of the property at Kikyna and the house there.' Kikyna or Kikynna was another deme of the same tribe. It was the deme of Strepsiades in Arist. Nub. 210. δικάζεσθαι takes the genitive of the thing which is the subject of the suit, on the analogy of verbs of claiming. Goodwin, § 173, 2.

51-4. 'Last year, however, they got the suit quashed by alleging that they were merchants.' The demurrer rested on the fact that as ἔμποροι they could only be sued on a δίκη ἐμπορικὴ to be tried before the ναυτοδίκαι. We have seen before, *vide* l. 27, the distinction between δικάζονται and ἐμπορικά. This distinction was only one instance of the system in Athenian law of having cases affecting particular interests tried by persons especially conversant in those matters. Thus military offences were tried before a jury of soldiers (as in Orat. vii.), profanations of mysteries before initiated persons; and, as here, cases in which ἔμποροι were affected could only be tried before the Nautodicæ, who were elected to preside over trials concerning commerce and navigation. Only it appears that though the subject of dispute did not directly concern those matters, either party might claim to have their suit heard in this court of the Nautodicæ by showing that they were ἔμποροι. Even a γραφὴ ξενίας could be brought before it if it affected such persons. See Hermann, § 146; Boeckh, pp. 49-50. Γαμηλιῶνι (20th Dec. to 19th Jan.) The Nautodicæ sat in the winter months, when sailing was not possible, so that the merchants and shipmasters whose suits came before them might not be impeded in their profession. λαχόντος 'though I got leave to bring in my suit' (see l. 28), i.e. the magistrates, before whom the ἀνάκρισις was, introduced it (εἰσάγειν) into the court of the ναυτοδίκαι. οὐκ ἐξεδίκασαν, sc. δίκην, 'the court of the Nautodicæ did not decide the suit.' Cf. Arist. Equ. 50, ὃ Δῆμε λούσαι πρῶτον ἐκδικάσας μίαν. διεγράψαντο 'got it quashed,' lit. cancelled by having a line drawn across it. So Strepsiades, after his notable invention of using a burning glass to melt the wax on the table containing the indictment, exclaims οἶμ' ὡς ἤδομαι | ὅτι πεν-τεράλαντος διαγέγραπται μοι δίκη (Arist. Nub. 773). Harpocr. explains the word by ἀνελέσθαι τὸ ἐγκλημα. Cf. Athenæ. 9, 407 E.

55. τὰ δύο μέρη 'two thirds,'—what had belonged to the other

two brothers. τὰ Ἑρασιστράτου his point is that in the case of Erasistratus' share he had really had possession, and to lose that would be harder on him than to lose the other two shares, to which, however, he was, strictly speaking, entitled.

59. οὐ τὴν ἀκριβεῖαν ἐπισκεψάμενος 'not having made the calculation with minute accuracy.' ἐπισκέπτομαι 'examine closely,' τοὺς νόμους ἐπισκεψάμενους τοῦ Δράκοντος ἐκ τῆς στήλης, Demosth. (?) 1161.

61. τιμήματος 'valuation.'

63-5. ὦν . . ἀμφισβητῶ, gen of thing claimed, see on l. 49. 120 Goodwin, § 173, 2. τῷ μὲν . . τῷ δέ, i.e. the property at Sphettus and that at Kikynna, ll. 49-50. A talent is 6000 drachmæ, a mina 100 drachmæ. He claims property worth five minæ, i.e. 500 drachmæ, and 1000 drachmæ; and therefore short by 500 drachmæ of the third of a talent. ἐπεγραψάμην 'I valued it,' lit. 'I wrote on it.' Cf. Isæus, 3, § 2, τρία τάλαντα τίμημα τῷ κλήρῳ ἐπιγραψάμενος.

66. ἀποκηρυχθέντων 'when the property has been sold by auction.' ἀποκηρύσσειν = *venale proclamare præcone*, 'to give notice of sale by a crier.' τὸ περιττὸν i.e. what it fetches over and above my valuation of 1500 drachmæ.

69. μεμισθωμένους 'hired.' See on ii. l. 72.

72-3. τοὺς τε πέρυσιν . . ἐλήχθησαν 'the Archons (Thesmothetæ) of last year, before whom leave was obtained by me (*supra*, l. 28) to bring in the suit,' i.e. before the defendants had demurred and got the suit quashed. τοὺς νῦν ναυτοδικὰς 'the existing Nautodicæ' would testify to its having been transferred to them.

76. οὔτε . . πλείονων, l. 63, he means much less. Cf. vi. l. 186. νυνὶ cf. ii. l. 3.

81-2. τὸ διαδίκασμα 'the property claimed.' See on l. 10. τοῦτο 'this much,' i.e. the 15 minæ.

83-5. ἥδη δέ μοι . . ἔμῳν. These words seem to be intended to introduce some peroration or appeal, which does not appear. However, the speech throughout has dealt entirely with facts and arguments without any of the usual appeals to feelings or character; and it may be that the speaker contents himself with this bare request for a verdict.

84. τῶν συνδίκων 'the fiscal commissioners' or 'syndics' presided at the trial. See viii. l. 44.

ORATION X. [19.]

[This speech relates to events which happened in the period of the gradual revival of Athens, and the struggle to put an end to Spartan supremacy in the Islands and Greek cities of Asia, B.C. 398—B.C. 387.

When Conon took refuge with Evagoras in Cyprus in B.C. 405, he appears to have had with him other Athenian refugees looking up to him as their leader. One of these was Nikophemus. While Nikophemus resided at Cyprus, his son Aristophanes (like Conon's son Timotheus) remained at Athens. Nikophemus served as a Trierarch in the fleet, of which Conon took command in B.C. 396-5, and was by him appointed Harmost of Cythera in B.C. 393, and soon afterwards returned apparently to reside in Cyprus.

Meanwhile Aristophanes remained at Athens, and had married a sister of the speaker of this speech. He appears to have been a man of restless activity and great energy. His two public services mentioned here are—(1) An embassy to Dionysius of Syracuse to endeavour to detach that monarch from the Spartans, and persuade him to make an alliance with Evagoras; we do not know the date of this embassy, but it was prior to 390 B.C. [§ 19-20]: (2) A mission to the aid of Evagoras, sent in 389-8 B.C., in answer to a request of Evagoras. He went officially as *πρεσβευτής* (l. 151); but he seems, at the request of his father, to have made great exertions in organising a military force of *πелтаσταί* (l. 145). From this time we lose sight of him and his father. For some unexplained reason both Nikophemus and his son Aristophanes were put to death without trial (l. 7), and their property confiscated.

This being done, a suspicion seems to have arisen that the State had not got all the property left by Aristophanes, and that the person who was possessed of it was the speaker's father. He is accordingly summoned for illegal possession of public money before a court presided over by the *σύνδικοι* or revenue commissioners. Before the trial however he died, and his son, the speaker, has to defend the action.

From Harpocration (s. v. *χύτροι*) we gather that Lysias had written a speech on another trial on the subject of the property, when the confiscation was proposed, which apparently was done by one Æschines, as Harpocr. calls it *τῷ κατ' Αἰσχίνου*.

The date of the speech is not accurately ascertainable, but from l. 329 (see note) we may gather that it was not long after B.C. 388-7.

The defence is necessarily founded mainly on probabilities. He argues—

- (1.) That his father was not likely, from his general character, to have kept money unfairly.
- (2.) That Aristophanes spent so much on public services that he was not likely to have left much.
- (3.) That he was not likely ever to have had much, as his father occupied only a subordinate post, had nothing before the battle of Cnidus, and no doubt kept the bulk of what he had at Cyprus, where he had a wife and daughter.
- (4.) It is not the first time that the public have been astonished to find at a man's death that he was less rich than common fame gave out. In fact it generally is so.

So far from having any of Aristophanes' money, the speaker asserts that his sister and children have been thrown on his hands, having lost even her dowry in the general wreck.

The speech is made the more interesting by lengthened allusion to the remarkable career of Conon, one of the ablest and most honest men produced by Athens at this period.]

6. δεινός 'clever,' ii. l. 77, δεινὸς λέγειν is the common 121 phrase in Demosthenes. Plato says of Lysias (Phædr. 228 A) that he was δεινότατος τῶν νῦν γράφειν.

7. οὕτως ὅπως ἂν δύνωμαι 'to the best of my ability.' οὕτως ὅπως is little more than ὡς; Xen. Cyr. 1, 1, 2, χρῆσθαι οὕτως ὅπως ἂν βούλωνται. παρασκευήν 'preparation,' see on ii. l. 122.

17. διαβολῆς *invidia*, 'with prejudice and popular opinion against him.'

20-6. Both clauses, πολλοὶ ἤδη—ἀπελθεῖν and οἱ δ' αὖ . . 122 πεπονθόσιν, are to illustrate the frequency with which accusations turn out to be false; 'some,' he says, 'are detected on the spot, while others are only found to be false when too late to save their victims.' The deduction is that no one ought to trust a διαβολή until he has heard the other side. ὑπὲρ πάντων τῶν πεπραγμένων 'in the whole affair,' i.e. not only so far as they have really lied; being convicted of one lie, they are discredited altogether. μαρτυρήσαντες . . ἔαλωσαν 'have been convicted of false witness. μαρτυρήσαντες τὰ ψευδῆ '(were convicted) of having given false evidence,' τὰ ψευδῆ = ψεῦδος.

29-31. πρὶν ἂν κ.τ.λ. 'until you shall have heard us,' i.e. the defence. Goodwin, § 240. ἀκούω 'I hear it said,' affecting a kind of simple ignorance, cf. Demosth. Con. § 18, *infra*, ll. 91, 293. δεινότατον 'most difficult to deal with,' i.e. because, as he explains, it acts unevenly; so that what is a sufficient defence at one time is not so at another.

36. τοὺς ἀλέγχους . . ἀποδέχεσθε 'you admit the arguments in refutation.' ἀποδέχεσθαι takes gen. of person and accus. of thing admitted, on the analogy of verbs of hearing. Goodwin, § 171, note 1. Cf. vii. l. 184.

37-8. Νικόφημος καὶ Ἀριστοφάνης . . ἀπέθανον. Nicophemus was a friend of Conon, and was left by him in command of Cythera in B.C. 393, with the title of Harmost,—either as the name to which this Spartan island was accustomed, or because the Spartans had now made that term usual for such an officer [Xen. Hell. 4, 8, 8]. As to his name, the MSS. in Xenophon give it as Νικόφησος, and in Diod. Sic. xiv. 81, Νικόδημον. Of his son Aristophanes we only know what we learn here. As to their death 'without trial,' we can only guess that it was on suspicion of treachery or embezzlement (Jebb, *Att. Or.* i. 236); and at Cyprus, where (as Conon, since 405) Nikophemus had been living. ἀπέθανον 'were put to death,' iv. l. 181.

38-9. πρὶν . . ἡδίκουν 'before any one could arrive to hear 123 them proved guilty.' The ἡδίκουν suggests embezzlement rather than treachery; but ll. 80-1 point to treachery.

41-3. ἀπέδωκαν the subject is the commanders who ordered the execution, and who would be well known to the hearers. For the outrage to Greek feeling in thus denying burial, see on v. l. 680.

47-8. παρὰ τοὺς νόμους τοὺς ὑμετέρους 'contrary to your laws.' The breach of the law was not in the children being deprived of a father's property which had been confiscated, but in the fact that the confiscation was carried out in the case of men who had had no trial (ἀκριτοι).

50-1. κηδεστῶν see below, l. 74. προικός his sister's dowry, which, being included in the confiscation of Aristophanes' goods, was not available for the support of the children.

52. συκοφαντούμεθα 'I am having vexatious charges brought against me.' Fragm. 18, διασώζοντες τὰς τῶν φίλων οὐσίας συκοφαντοῦνται ὑπὸ τῶν ὀρφανῶν πολλοί.

54. ἐκ τοῦ δικαίου = δικαίως 'legally and honourably.'

57. τετραπλάσια the calculation will be found below, ll. 401 sq.

58. λογιζόμενος . . παρεγενόμην 'I heard him reckoning.' Cf. ix. l. 17.

61-2. ἄλλ' ὅσοι sc. ἀλλὰ καταγινώσκετε ἀδικίαν τούτων ὅσοι κ.τ.λ. For construction, see Goodwin, § 173, 2, note. τὰς αἰσχίστας ἡδονάς, see viii. ll. 82-3.

64-6. πρὸς δόξαν . . καὶ σπάνιν 'in view of an idea entertained by some of the amount of Nikophemus' property, and in view of a scarcity of money now existing in the city.' Cf. Dem. 230, ἵνα πρὸς τὸν ὑπάρχοντα χρόνον ἕκαστα θεωρήτε, 'in view of the existing circumstances.' σπάνιν ἀργυρίου, see *infra*, l. 332.

68-9. καὶ τούτων ὑπαρχόντων 'even in these disadvantageous circumstances.' τὰ κατηγορημένα 'the allegations made by the prosecution,' see on ii. l. 145.

72. εὐορκότατον 'most strictly consistent with your oaths as dicasts.' See on vii. l. 172.

74. ᾧ τρόπῳ . . ἐγένοντο 'the circumstances of their becoming connections of mine.' Aristophanes being his brother-in-law, the father of Aristophanes would also be his *κηδεστής*, see vi. l. 4.

75-6. στρατηγῶν γὰρ Κόνων περὶ Πελοπόννησον. This probably refers to the spring of 393 B.C., when Conon, being then commander of the Greek contingent of the fleet collected by Pharnabazus, was engaged in ravaging the coast of Sparta, and when he appointed Nikophemus harmost of Cythera. *Supra*, l. 37. Diodorus (xiv. 81) calls him ὁ τῶν Περσῶν ναύαρχος, but this is no doubt inaccurate: Xenophon (Hell. 4, 3, 12) calls Pharnabazus ναύαρχος, and describes Conon as τὸ Ἑλληνικὸν ἐχούσα.

Conon. We first hear of Conon as governor of Naupactus in B.C. 411 [Thuc. 7, 31, 4]. In B.C. 408-7, being at Athens, he was elected Strategus in conjunction with Alcibiades and Thrasybulus [Xen. Hell. 1, 4, 10]. In the autumn of 407 B.C. and spring of 406 B.C. he was doing excellent service among the islands of the Ægean, and being blockaded at Mytilene escaped the fate of the other generals after Arginusæ [Xen. Hell. 1, 6-7]. In June of B.C. 405 he was still in the Ægean, and at Ægos-potami, as we have seen [vi. l. 33], managed to escape with seven or eight ships to Cyprus, where he was entertained by Evagoras. From that time till B.C. 397 he remained in retirement in Cyprus [οὐ τὴν ἀσφαλεῖαν ἀγαπῶν ἀλλὰ τὴν τῶν πραγμάτων μεταβολὴν περιμένων, Plut. Artax. 21, see also Isocr. 5, § 82, 9, 51-8]. During this time the Spartans had been often brought into collision with the Persians; the campaigns of

Dercyllidas had ended in a short armistice, B.C. 398; Agesilaus was about to invade Asia, and Pharnabazus, on the advice of Evagoras and Conon [Isocr. Evag. 54], set about collecting a large fleet in Phœnicia of 300 triremes [Xen. Hell. 3, 4, 1]; Conon, at the suggestion of Evagoras, obtained the command of the Greek part of it [B.C. 397-6]. In the years 396-5, while Agesilaus was prosecuting his successful campaign in Asia, Conon was steadily working to overthrow the Spartan naval supremacy; his achievements may be said to have begun with the revolt of Rhodes and been consummated by the battle of Cnidus [August 394 B.C.]. After this he carried the war to the coasts of Lacedæmonia, and restored the fortifications of Athens [B.C. 393], Xen. Hell. 4, 8, 9. These successes so alarmed the Spartans that they sent Antalcidas to Tiribazus, the Satrap of Western Asia, proposing to give up to the king the Greek cities in Asia, and that the Islands should be independent; Conon resisted this, and Antalcidas persuaded Tiribazus to arrest him [ὡς ἀδικούντα βασιλέα], and he was imprisoned at Sardis [Xen. Hell. 4, 8, 16; Diodor. xiv. 85]. Isocrates insinuates that he was put to death by the Persians [Panegy. 154], but from ll. 255-267 of this speech it seems probable that he escaped again to Cyprus, and died a natural death there. But this arrest in B.C. 393 was the end of his political life. Tiribazus was superseded in his satrapy in the following year, which perhaps may account for Conon's escape. For the doubt as to his escape, see Nepos. Con. 5, *Nonnulli eum ad regem abductum ibique periisse scriptum reliquerunt. Contra ea Dinon historicus, cui nos plurimum de Persicis rebus credimus, effugisse scripsit; illud addubitat utrum Tiribazo sciente an imprudente sit factum.*

78-9. τὴν ἀδελφὴν 'my sister.' αὐτοῦς i.e. Nikophemus and his son.

80-2. τῇ τε πόλει . . ἀρέσκοντας 'conforming to the wishes of the State at that time at least.' He means to admit that Nikophemus and his son afterwards were guilty of disloyalty, but at the time of the marriage had shown no signs of it. ἀρέσκοντας conveys the idea of outside conformity rather than active loyalty.

83. ἐπεὶ οὐ κ.τ.λ. 'for that my father did not make this match for the sake of money, one may easily feel sure from his whole life and actions.'

86. ὅτ' ἦν ἐν ἡλικίᾳ 'when he was of age,' i.e. for marriage. See on iv. l. 209.

88-91. οὐδὲν ἐπιφερομένην 'who brought no dower with her.' 125 Cf. Aesch. in Ctes. 172. ὅτι δέ 'but (he did so) because she was daughter of Xenophon, son of Euripides, who was not only excellent in private life, but thought worthy by you to be Strategus, as I am told.' For another instance of *anacoluthon*, see v. l. 256. For ἀκούς cp. l. 29. Xenophon, son of Euripides, was one of the Strategi at the time of the surrender of Potidaea in B.C. 430 [Thuc. 2, 70, 1]; and again in an expedition against the revolted Chalcidians in B.C. 429, in which he and the other Strategi were defeated and killed [Thuc. 2, 79, 1, and 10].

93. ἰδούκουν κάκιον γεγονέναι 'they seemed to be of a somewhat inferior character.' κάκιον is used adverbially; but the phrase is certainly harsh as applied to *persons*. [Perhaps we should read *κακίους*.] Bremi explains κάκιον γεγονέναι to mean 'worse born,' i.e. not true-bred Athenian, comparing vi. l. 413, καλῶς . . . ὄντα. But in that place the right reading is probably καθαρῶς Ἀθηναίων ὄντα. Besides, the point of this passage is a contrast between character and wealth, not purity of blood. We must suppose, therefore, a phrase κακῶς γίγνεσθαι equivalent to κακῶς ἔχειν 'to be ill,' i.e. in behaviour, reputation, etc.

94-5. Παιανιεῖ 'of Paeania,' a deme of the tribe Pandionis. βελτίονα . . . ἢ πλουσιώτερον 'better in character than in wealth.' For this idiomatic use of two comparatives, *when two properties of the same subject are compared*, see Clyde, § 23 d, Madvig, § 92 a.

96-7. τὴν δὲ . . . Μυρρινουσίῳ 'and the other to a man who had become poor from no fault of his own, and who was his nephew—Phædrus, of the deme Murrhinoutè; 'the arrangement of the words is somewhat unnatural. Μυρρινούτη was a deme of the tribe Ægeis. This is the same name and deme as that of the speaker in Plato's dialogue, Phædr. 244 A. ἐπιδούς see viii. l. 74.

98. Ἀριστοφάνει τὸ ἴσον 'an equal sum to Aristophanes.' As the speaker's father appears to have had only two daughters (l. 106), we must suppose that the wife of Phædrus made a second marriage with Aristophanes.

100-1. ὥστε εὖ εἰδέναι 'on condition of feeling certain.' 'If I could but feel certain.' Cf. Dem., ἐξὸν αὐτοῖς τῶν λοιπῶν ἀρχεῖν Ἑλλήνων ὥστ' αὐτοὺς ὑπακοῦειν βασιλεῖ. Clyde, p. 204, note. κηδεσταῖς *surra*, l. 74.

102-4. καὶ νῦν 'so now in point of fact.' Ἀλωπεκῆθεν 'of the

deme Alopekè,' of the tribe Antiochis. **δε** . . 'Ἑλλησπόντῳ.
i.e. who fell at Ægospotami, see vi. l. 33.

107. **ἐπέδωκε** see viii. l. 74. *Supra*, 97.

111. **ὅτι πολλοῖς ἂν μᾶλλον ἐχρήτο κ.τ.λ.** 'That there were 126 many persons he would have selected for his confidant rather than my father.' So **οἱ χρώμενοι** for 'his friends,' in Isocr. 125 A.

113-4. **ἐκείνῳ . . πρῶτταν** 'his (my father's) bent was for minding his own affairs,' i.e. not public affairs. He was **ἀπράγμων**, see on viii. l. 169.

119. **πρῶτον μὲν, κ.τ.λ.** Dionysius the Elder, tyrant of Syracuse [B.C. 406-367] had been assisted by the Spartans in establishing his power in B.C. 406 [Diod. xiv. 10], and he seems always to have maintained a friendship with them, which this embassy [B.C. 393] failed to break down permanently; for long after, in B.C. 371, we find him sending a body of auxiliaries to aid Sparta and Athens against Thebes [Xen. Hell. 7, 1, 20]. See Hicks, p. 150.

120-1. **Εὐνόμου.** This may be the same man of whom we hear as in command of thirteen ships to act against the Spartans under Gorgopax, in B.C. 388, with whom he had a naval battle by moonlight, and lost three ships [Xen. 5, 1, 5-9]. **ξένου** 'proxenus' or 'guest-friend.' Though Dionysius was so much allied with Sparta, he had yet managed so far to keep on good terms with Athens as to be honoured with the citizenship. [Dem. (?) 161, **ὁμῆς ἔδοτε πολιτεῖαν Εὐαγόρᾳ τῷ Κυπρίῳ καὶ Διονυσίῳ τῷ Συρακοσίῳ**]. A fragment of the stone on which the decree was engraved has been found. See Hicks, p. 126.

123. **τῶν ἐν Πειραιεῖ** referring to the democratic exiles in the Peiræus under Thrasybulus in 404-3 B.C. See Appendix. **παραγενομένων** 'in his company.'

125. **Εὐαγόρᾳ.** Evagoras was tyrant of Salamis in Cyprus till B.C. 374, for over thirty years. His character is drawn in very attractive colours by Isocrates in a panegyric addressed to his son and successor, Nikocles (Orat. ix.) He seems always to have been devoted to the Athenians, and to have been restive under his subordination to the Persians. For the assistance he rendered to Conon, especially in the matter of the command in the Persian fleet, a statue of him was put up in the Ceramici side by side with one of Conon, and Conon's son Timotheos, see Pausan. 1, 3, 2. Many Greeks besides Conon had found refuge under his protection [Isocr. ix. 51-57]. For his Athenian

citizenship, see *supra* on l. 120. The inscription of this decree also has been found in a broken condition. Hicks, p. 127.

129. **ἐπεισαν** 'they succeeded in persuading.' See on v. 127 l. 112.

131-2. **μετὰ δὲ ταῦτα . . βοήθειαν**. Though Evagoras had acted with the Persians at the battle of Cnidus, it was not long before he was at war with them,—a war which was said to have lasted ten years, *i.e.* from B.C. 385 to 376 [Clint. F. H. vol. ii. p. 279]. Before this he had apparently begged help from Athens, and such help we find sent under Chabrias in B.C. 388 [Xen. Hell. 5, 1, 10]. The embassy was perhaps in the preceding year. Nepos. Chabr. 2, *publice ab Atheniensibus Evagoræ adjutor datus*.

137. **πелταστὰς** 'foreign mercenaries, light armed.' This word is not used of Athenian troops until the time of Iphicrates (circ. B.C. 391). In Thucyd. it is always used of foreign mercenaries. Yet in B.C. 409 Thrasyllus made an experiment in forming a corps of such troops. Xen. Hell. 1, 2, 1.

139. **δ' οὖν** 'however,' 'be that as it may.' Resumes the main subject after a digression.

141-3. **καὶ τοῦ ἀδελφοῦ . . κατεχρήσατο** 'and having 40 minæ belonging to his half-brother deposited at his house, he used them all up. **παρ' αὐτῷ** 'at his own house'; **αὐτῷ** might, however, stand; see on vii. 64.

147. **ἔνδον** see *infra*, 305.

149-154. 'What man think you, gentlemen,—keen after distinction and getting letters from his father telling him that he would find no lack of anything in Cyprus; having, moreover, been elected ambassador, and being on the point of sailing to Evagoras,—would be likely to leave anything he possessed behind, and not rather gratify that monarch, if he could, by contributing everything he had, and so make a handsome profit?' **ἐκείνῳ** is Evagoras. **μὴ ἐλάττω**, *i.e.* **πλείω**. See on v. l. 145; vi. l. 186. The point of the argument is, that Aristophanes expected to make a great profit by anything he contributed, and therefore would contribute all he had or could get.

155. **Εὐνομον** there appears to be some mistake here, as more than one witness is called, and to some points with which Eunomus was not concerned.

159. **ἐκομίσθη . . τριήρους** 'for it was brought to them on 128 the trireme,' *i.e.* the public trireme which took out Aristo-

phanes as ambassador, and on its return brought back the money lent.

163-4. ὁ Πυριλάμπους the son of Pyrilampes. αὐτῷ sc. Aristophanes.

164-7. ἐδεήθη μου . . τριηραρχίας 'begged me to go to Aristophanes (telling me that he had received a gold cup from the King of Persia as a pledge) and get for him 16 minæ on it, to spend upon his trierarchy.' There is no real difficulty in this sentence. Demus applied through his brother-in-law to Aristophanes, both as supposed to be well off, and as being ambassador, and so likely to wish the expedition to be well set out. ἐπ' αὐτῇ cf. δανείζειν ἐπὶ νηϊ, Dem. 1281. λαβεῖν 'to get ready money.' Cf. Arist. Nub. 1135, ὦ δαιμόνιε, τὸ μὲν νυνὶ μὴ λαβῆς. ἔχοι optat. in *oratio obliqua*, see on vi. l. 62. So also ἀφίκοιτο.

168. λύσεσθαι ἀποδοῦς κ.τ.λ. sc. ἔφη. 'He said that he would redeem it by a payment of twenty minæ.'

172-3. μέλλων δ' κ.τ.λ. 'and though he was to take with him the gold cup, and to receive four minæ as interest.' For the fut. inf. after μέλλω, see ii. l. 164. τὸ χρυσίον seems to be used, though somewhat peculiarly, for 'plate.' In Thucyd. 2, 13, 3, we have χρυσίον ἀσημον.

174. καὶ προσδεδανείσθαι τοῖς ξένοις ἄλλοθεν 'that he had actually had to go elsewhere to borrow besides from his friends,' *infra*, l. 371. προσδεδανείσθαι τοῖς ξένοις 'to have had lent by friends.' τοῖς ξένοις is the dative of the agent. See on v. l. 226. Others would tr. τοῖς ξένοις 'for his mercenaries.' ἀλλόθεν explains τοῖς ξένοις 'elsewhere than from his own resources.' πρὸς 'in addition to what he had spent of his own.'

175. ἐπειδὴ ἥδιστ' ἂν ἀνθρώπων 'for (he said) no one would be more glad than he either to take that pledge on the spot, or to grant my request.'

181-2. χαλκώματα . . σύμμικτα 'miscellaneous bronze utensils,' not of a choice or valuable description.

186-7. πρὶν . . ἡμᾶς 'before we won the sea-fight,' i.e. at Cnidus. This successful engagement paved the way for the return of Conon to Athens, and the restoration of the fortifications, and no doubt gave those engaged in it considerable spoil. See l. 233. Xen. Hell. 4, 3, 11. Diodorus (xiv. 83) gives the numbers engaged as 85 Spartan ships and 90 of the fleet under Pharnabazus and Conon. Cnidus is a town and island (joined

by a causeway to the mainland) on the extremity of a peninsula in Caria, which terminates with the promontory Triopium (*Καρ Κριο*).

188. *Ραμνούντι* 'at Rhamnus,' a deme of the tribe Aiantis.

189. *ἐπ' Εὐβούλου ἀρχοντος* 'in the archonship of Eubulus.' He is called in the list of Eponymous Archons *Εὐβουλίδης* (Hermann, p. 403) B.C. 394, a similar interchange of the patronymic, to that in xv. l. 85. Harpocration also quotes the speech *κατὰ Φίλωνος* as *κατὰ Φιλωνίδου*. See Appendix IV. *ἐν . . τέτταρσιν ἢ πέντε ἔτεσι* Aristophanes did not return from his mission to Evagoras, but was put to death for some cause, l. 38. The four or five years are reckoned from 394-3 to 389-8 B.C. See on l. 131.

192-4. *χορηγοῖς . . εἰσενηνοχέαι*. See on ii. l. 209. *οἰκίαν domum*, 'a private town house,' distinguished from *συνοικία*, 'a lodging house.' The price of houses in Attica varied from 3 to 120 minæ. See Boeckh, p. 66.

195. *γῆς τε . . πλέθρα* 'more than 300 plethra of land,' about 80 acres English. House and land together cost him 5 talents (*infra*, l. 273), i.e. 300 minæ. The land therefore cost 250 minæ, as the house was 50 minæ (l. 194). Land in Attica therefore cost between 3 and 4 minæ per English acre (i.e. from £12 to £16). But this of course would vary according to the situation and nature of the soil. See Boeckh, p. 62.

197. *ἐπιπλά* 'moveable property,' including dress, furniture, 130 and utensils, Xen. Oecon. ix. 6-7.

199-201. *ἐξενγκεῖν* 'produce,' cf. *δεῖγμα ἐξέφερε καθ' ἑαυτοῦ*, Dem. de Cor. 323. *ἐνίοτε γάρ . . παρέχοι* 'for sometimes, though ever so desirous, one cannot buy things which will perpetually give pleasure ever after,' sc. and so they are dispensed with; and accordingly even rich men have seldom a great deal of such property to produce.

This is a curious remark, suggesting the poorness of the Athenian houses and their appointments, arising partly no doubt from the public and far from domestic nature of the life led by the citizens. [See Boeckh, p. 64, who says that building large and fine private houses only began about the time of Demosthenes.] For *τοιαῦτα δ*, see on ii. l. 270.

203. *σκεύη* 'furniture,' much the same as *ἐπιπλά* in l. 197, but not including like it personal ornaments, etc. Cf. Dem. 1156, *τὰ δ' ἐκ τῆς ἄλλης οἰκίας ἐξέφερον σκεύη*.

203-4. *οὐχ ὅπως . . ἀφηρηπάσθησαν* 'not only did you fail

to sell their furniture, but even the very doors of the chambers were pulled off.' He means that in the case of confiscations the houses were often abandoned and plundered, so that the State got nothing. Reiske mistranslated and misunderstood the passage from wrongly taking *οὐχ ὅπως* = *non modo*; whereas it = *non modo non*, see Madvig, § 212. For damage done to confiscated property standing ungarded, see ii. ll. 43-5. It reminds us of the account of the general scramble for the property of the abandoned monasteries after the suppression.

208. ἀπεφαίνετο 'were accounted for,' i.e. to the treasury. Cf. Dem. 821, *λήμμα οὐδὲν ἐμοὶ γεγενημένον ἀποφαίνουσι*. *Id.* 480, *πλέον ἢ δέκα καὶ ἑκατον τάλαντα ἀπέφηνεν ἀπὸ τῶν πολεμίων, in aerarium rettulit*.

210. πρὸς τοὺς συνδίκους 'before the revenue commissioners.' See ix. l. 85.

214. ὃς ὥχετο λαβὼν 'which he took with him when he went off,' i.e. to Cyprus.

219. μὴδ' αὐτοὺς κ.τ.λ. 'though we have nothing for our- 131 selves even.'

223. Τιμοθέω τῷ Κόνωνος the similarity of the case consists in this, that Timotheus, like Aristophanes, resided at Athens; while his father Conon, like Nikophemus, lived and died at Cyprus. Timotheus, son of Conon, played a very conspicuous part in Athenian history, from B.C. 380-378 till his death in about 352 B.C. A speech against him on a private suit is extant, ascribed to Demosthenes. Nepos, in his life of him, says that he was *disertus impiger laboriosus rei militaris peritus neque minus civitatis regendæ* (Nep. Timoth. 1). He was a close friend of Isocrates (Isocr. xv. 101). He is said to have taken more cities than any other commander, namely, twenty-four (Isocr. xv. 107-13).

224. ἐκείνου sc. Conon.

229. οὐδὲ πολλοστὸν . . ὑμῖν 'not even a very small fraction of the expectation prevalent among you.' For *πολλοστὸν μέρος*, see vii. l. 224.

231-2. Κόνωνα . . προστάττοι see *supra*, ll. 75-6.

233. ὠφελειῶν i.e. the gains made in the war by prizes, etc. See *supra* on ll. 186-7.

238-9. ἐνθάδε sc. at Athens. παρ' αὐτοῖς sc. in Cyprus. 132

241-2. ἤγοοντο . . ἐνθάδε and they thought that their property in Cyprus was equally safe as that at Athens.' σᾶ is the Attic contraction of σῶα.

243-5. καὶ εἰ τις . . διένειμεν 'even if a man had divided among his sons what he had not earned himself, but had inherited from his father'—much less if, as was Conon's case, it was what he had gained himself by his own exertions.

245. οὐκ ἐλάχιστα ἂν αὐτῷ ὑπέλιπε 'he would have reserved the greater part for himself.' οὐκ ἐλάχιστα = πλείστα by the *litotes* usual in Greek. See on v. l. 145. He wants to show that Conon kept the greater part of his property in Cyprus, just as he wished them to believe that Nikophemus did.

249-50. εἰ μὴ τῇ . . πόλει a conventional reservation, 'unless some great benefit therefrom is to arise to the State.'

258. ἀναθήματα. See on iv. l. 186.

260. στατήρας. The Attic stater = 20 drachmæ. The Kyzikene stater = 28 drachmæ. See v. l. 81.

264-5. τούτων δὲ κεφάλαιον . . τάλαντα 'and the total of these sums is 40 talents' (about £9640). The calculation is not an accurate one. If the staters mentioned are Attic staters (i.e. 20 drachmæ), the account will stand thus:—

ἀναθήματα (5000 staters at 20 drachmæ)	16 talents	40 minæ
Legacy to nephew	1	40
Do. to brother	3	0
Remainder to son	17	0
	38 talents	20 minæ.

If the staters are Kyzikene staters, i.e. valued at 28 Attic drachmæ, 5000 of them will be 23 talents 20 minæ; and the total 45 talents. See Appendix.

266-7. ἀπεφάνθη. See *supra*, l. 208. ἐν τῇ νόσῳ ὧν 'being 133 in his last illness,' clearly indicating, according to the speaker, that Conon died at Cyprus. See *supra*, l. 75.

272-84. The speaker then goes on to show that he can account for the expenditure of fifteen talents by Aristophanes, more than a third of the amount of Conon's property (and that excluding what his father Nikophemus kept at Cyprus), which is much more than he could have been expected to have at all, and shows that he could not have left much behind him at his

death. His point is that Nikophemus, like Conon, kept the bulk of his property at Cyprus, not at Athens; and that his son Aristophanes can yet be shown to have spent at Athens more than he could reasonably be expected to have had. He reckons in this way:—

Purchase of house and land	5 talents	0 minæ
spent as Choragus for self and father	0 „	50 „
spent as Trierarch	1 „	20 „
<i>εἰσφορὰ</i> for self and father	0 „	40 „
expedition to Sicily	1 „	40 „
mission to Cyprus	5 „	0 „

14 talents 30 minæ

He says the whole is little less than fifteen talents, and we must observe that the price of the land is said to be *more* than five talents, but he does not say how much more. For the *κατεχούργησε* 'used up as Choragus,' *τριηράρχων* and *εἰσενήνεται* contributed in extraordinary taxes (*εἰσφοραὶ*), see *supra*, l. 191, and v. l. 140. For the expedition to Sicily, *supra*, l. 120, and the mission to Cyprus, l. 131. *ἀποφανθήναι*, see *supra*, ll. 208, 266.

293. *ἀκήκοα*. See *supra*, ll. 29, 91. This is the third time 134 the speaker has prefaced a general observation with this word. It seems as though he were assuming the rôle of an inexperienced and ingenuous youth,—another instance of the *dramatic* art of Lysias.

298-300. *αὐτίκα* 'for instance.' See l. 438. Cf. xv. l. 154. *Ἰσχομάχῳ*. There is a man of this name mentioned by Andoc. de Myst. § 124; and by Demosth. (?), Contra Theotim. 1331. But there is nothing to enable us to identify them. *ἐνεμάσθην* 'divided between them.' Cf. viii. l. 74.

304-6. *οἶκος* 'estate,' whereas *οικία* is the 'house.' *πάντα τοῦ οἴκου εἶναι ὅσα τις κέκτηται*, Xen. Oecon. 1, 5. *Νικίου* Nicias was exceedingly rich, Thucyd. 7, 86, 4, *ὅτι πλούσιος ἦν*,—as was his son Nikeratus, Xen. Hell. 2, 3, 39. *καὶ τούτων τὰ πολλὰ ἔνδον* 'and that too mostly in ready money.' *τούτων* sc. *ταλάντων*. *ἔνδον* lit. 'in the house,' as opposed to property in land or mortgages. Demosth. in Aphob. A. 816, *ἀργυρίου δ' ἔνδον ὀγδοήκοντα μνᾶς*, as opposed to money invested, *ἐνεργά*. See *supra*, l. 147.

309. *τὴν οὐσίαν* attracted into the case of its relative *ἦν*. Francken proposed to avoid this by altering *ἀξία ἐστίν* to *ἀξίαν ἴστε*.

310-11. *Καλλίας* the third of the name (vii. l. 214) was

celebrated for his profligacy and extravagance; he was the prosecutor of Andocides for profanation, who says of him (de Myst. § 130), that common report affirmed that his father, *οἰόμενος υἱὸν τρέφειν ἀλιτῆριον αὐτῷ τρέφειν* 'a curse.' He, however, was a great friend of the Sophists, and the scene of Xenophon's 'Banquet' and Plato's 'Protagoras' is laid at his house. He is said to have died in great poverty. *τοῖνυν* 'again,' ii. l. 68.

313. *ἐτιμήσατο*, sc. *τὴν οὐσίαν*, 'he valued his own property at 200 talents.' *ἐτιμήσατο* is middle, as in the phrase *θανάτου τιμῶμαι*, 'I assess my punishment at death,' whereas the Dicasts would say *τιμῶμεν*. For the genitive *ταλάντων*, see Goodwin, § 178.

314-5. *τὸ τοῖνυν . . ἔστι* 'his rateable property, you know, 135 is assessed at not even two talents.' *τίμημα* is not the value of a property, but of that part of it considered subject to taxation. The proportion thus rateable varied,—in the first class it was a fifth, and less in the lower classes. Accordingly Callias' property would be at least ten talents—a sum equal to that which, according to Plutarch, his brother-in-law Alcibiades forced him to advance, in addition to his wife's original dowry, on the birth of his son (Plut. Alcib. 8).

315. *Κλεοφῶντα*. See v. l. 55.

319. *οἱ προσήκοντες καὶ οἱ κηδεσταί* 'his relations by blood and by marriage.' See vi. l. 4.

321. *ἀρχαιοπλοῦτων* 'men possessed of hereditary wealth,' opposed to *νεόπλουτοι*. The word seems properly to belong to poetry. See L. and Sc.

324. *ὁ δεῖνα* 'this or that man.' Goodwin, § 85.

328-30. *καταψεύδεσθαι*, cf. viii. l. 61. *αὐτοὶ γὰρ κ.τ.λ.* 'for you yourselves lately heard in the assembly that Diotimus had forty talents more than he acknowledged himself from the ship captains and merchants.' *Διότιμος*. We find Diotimus in joint command with Iphicrates in B.C. 388-7 [Xen. Hell. 5, 1, 25]; the word *ἐναγχος* therefore may indicate a date not long after this; but that of course depends on the assumption that the money thus unaccounted for was obtained during this command. We find Diotimus also acting as a subordinate of Alcibiades in 408 B.C. [Xen. Hell. 1, 3, 12].

332-4. *ἀπογράφοντος* 'giving in an account.' *δεομένης κ.τ.λ.* 'in spite of the fact that the State was in want of money,' see

supra, l. 66. In B.C. 387 the Persian and Spartan fleets under Tiribazus and Antalcidas, supplemented by ten ships sent by Dionysius, so blocked up the Hellespont as to prevent the supplies of corn from Pontus, on which Athens greatly depended, from reaching her; and caused great distress and loss. This, combined with the long-protracted hostilities, will well account for the poverty of the exchequer.

335-8. λογισασθαι 'to give in his accounts.' εἴτα ἐπαθέ τι 'and then if anything had happened to him,' a common euphemism for ἀπέθανε.

343-5. αἵτιοι οὖν εἰσι . . ἐπιθυμούντες 'that you have ere 136 now been deceived in regard to many persons,—yes, and that some have perished quite unjustly,—you too have to thank those men who show reckless audacity in falsehood, and are eager to bring vexatious charges against others.' αἵτιοι ὑμῖν (like ἀξιοὶ ὑμῖν) 'blamable by you.' *Madv.* § 34. Cf. *Demosth.* 195, πολλῶν κακῶν ἡ ἀνοία πολλοῖς αἰτία γίγνεται. πολλῶν . . ψευσθῆναι 'to be deceived about many.' (Cf. construction of ἀμαρτάνω.) *Goodwin*, § 171.

346-9. τέτταρα ἢ πέντε ἔτη ἐφέξης ἐστρατήγει 'was Strategus for four or five years running.' He must refer to the years from B.C. 411-10 to B.C. 407-6, a period in the life of Alcibiades including the battle of Cyzicus (in which Mindarus was killed), the sieges of Chalcedon and Byzantium, his return to Athens, and his second disgrace. *Plut. Alcib.* 28-36. It is not clear whether Alcibiades during all this time was technically a Strategus; but he was in command of Athenian vessels. διπλάσια . . αἱ πόλεις . . διδόναι. An instance of Alcibiades levying money on the subject towns occurs in *Thucyd.* viii. 108, 2, in the case of Halicarnassus (B.C. 411). W. condemns the whole section.

351-3. ἀποθανόν Alcibiades was murdered in Phrygia, B.C. 404. τῶν ἐπιτροπευσάντων 'from his guardians,' viz. Pericles and his brother Ariphron. *Plut. Alcib.* 1.

366. πιστεύετε τούτοις ἀληθῆ λέγειν οἱ, κ.τ.λ. 'believe that they speak truth who,' etc. ἀληθῆ λέγειν is equivalent to a noun in the accusative case. πιστεύειν τινί τι (like *credo alicui*) is not common. Cf. *Xen. Mem.* 4, 4, 17, τίνι δ' ἂν τις μᾶλλον πιστεύσειε παρακαταθέσθαι ἢ χρήματα ἢ υἱὸς ἢ θυγατέρας.

369-372. A recapitulation of § 21-3.

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374-5. οὔτε . . ἀντίπον ill-behaviour to parents being a legal offence: see Appendix II.

376. ἐνεκάλεσεν for ἐγκαλέω and ἐγκλημα, see viii. l. 78.

376-8. ἐγγύς τε οἰκῶν . . οὐδεπώποτε. 'And though living near the Agora, I never yet was seen in court or council chamber.' πρὸς 'near,' would seem to imply 'before' as a defendant or accuser; but then what could his living 'near the Agora' have to do with it? He means to claim the character of ἀπράγμων, one who minded his own business and was not perpetually haunting the law-courts, see ii. l. 1, 2; though a want of interest in them was also considered a mark of ῥαθυμία and μαλακία, see iv. l. 69, 70. The Agora was the centre of business, see xiii. l. 150.

387. οἱ προαναλίσκοντες 'who advance money,' προαναλίσκειν is to advance money to be repaid. οὐ—τούτου sc. τοῦ προαναλίσκειν 'not simply from a desire to make a necessary advance to the State.' No holder of an office (ἀρχή) received a salary (though those who had special or subordinate service, ὑπηρεσία, did); but we have already seen that the office of Strategus brought or was expected to bring wealth [ll. 235, 346], and the same in more or less degree would be true of other offices, the Archonship, etc.

390-2. τὰς δὲ χορηγίας . . εἰσενήνοχεν. *Supra*, ll. 273-6.

395. πεντήκοντα we learn from l. 412 that he lived to seventy. 138 His public life therefore begins at twenty. See iv. l. 209.

398-9. ἐν οὖν . . πεφευγέναι 'now in a public career, extending over so long a time, it is but natural to suppose that a man with the reputation for ancestral wealth should have shrunk from no kind of expense.'

The sentence is by way of introducing the witnesses who are coming to testify to the amount paid in public services by the father of the speaker. He says: 'Now you would of course feel sure that he spent a great deal, but I shall call witnesses to prove it.' The whole point of the argument is that a man who acted so liberally would not have been guilty of the meanness charged. ἐξ ἀρχῆς 'originally,' cp. ix. l. 11 (*von Hause aus*, *Rauchenstein*). In spite of ll. 388-9, I feel sure that the old editors were wrong in translating ἔχειν τι ἐξ ἀρχῆς *magistratu suo aliquid acquisivisse*. Cf. ἀρχαιοπλούτων, l. 321.

401. ἑνέα τάλαντα καὶ δισχίλια δραχμαί 9 talents 20 minæ (about £2240).

403-4. ἰδίᾳ 'privately,' as opposed to the above-mentioned acts of munificence in *public* interests. συνεξέδωκε . . ἀδελφάς 'helped to portion daughters or sisters.' See on viii. l. 74.

τοὺς δ' ἐλίσσαςτο 'and paid ransom for some.' This need of ransom must have often arisen at this time of continued and complicated hostilities; one such instance we have heard of in vii. l. 208.

411. πλάσασθαι τὸν τρόπον τὸν αὐτοῦ 'to assume a false 139 character' (πλάττειν *ingere*). Cf. Dem. de Cer. 304, τῆς φιλάνθρωπίας, ἣν . . ἐκεῖνος ἐπλάττετο.

413. οὐδ' ἂν εἰς λάθοι 'nobody in the world could continue to hide his baseness through a period of seventy years.' ἐν see l. 398.

418-9. τῷ χρόνῳ δὲν . . νομίζετε 'which be sure is the clearest test of truth.' Rauchenstein quotes Pind. Ol. xi. 53, δ τ' ἐξελέγχων μόνος ἀλαθείαν ἐτήτυμον χρόνος. Xen. Hell. 3, 2, συνεμαρτύρησεν ὁ ἀληθέστατος λεγόμενος χρόνος εἶναι.

424-5. εἰς χρημάτων λόγον 'as a mere question of money.' ἀποψηφίσασθαι sc. ἐμοῦ 'to vote my acquittal.'

430-1. ὀλίγα κατὰ μικρὸν . . ὠφελείας 'to make the little I have gradually serve for the public advantage.'

432-4. καὶ οὕτε . . δημεύσαιτε, i.e. I shall not be suffering from a sense of injustice, and the State will really be better off than by the confiscation.'

437. τοιαῦτα ὅθεν equivalent to ἐξ ὧν. See on ii. l. 270.

438-40. αὐτίκα 'for instance,' *supra*, l. 298. ὅτε ἵππευεν 140 'when he was serving in the cavalry he purchased horses, not only fine ones (for chargers), but such as were fitted for racing.' ἀθλητῆς employed in the ἀθλα. Plat. Parm. 137 A. ὅτε ἵππευεν to serve in the cavalry was the duty of the richer men (see vii. l. 55), who also alone could afford to keep horses for the races (ἵπποτροφεῖν . . δ τῶν εὐδαιμονεστάτων ἔργον ἐστὶ, Isocr. de big. § 33); and from this passage it seems that a man would be likely to choose the time of his cavalry service if possible for keeping horses for the races, the convenience of doing the two together being obvious.

441-2. ὥστε . . στεφανωθῆναι 'so that the city was named in the proclamation of the victor, and he himself received the wreath.' The wreath in these two games was parsley.

τέσσαρες εἰσιν ἀγῶνες ἂν' Ἑλλάδα· τέσσαρες ἵπποι.

οἱ δύο μὲν θνητῶν, οἱ δύο δ' ἀθανάτων.

Ζηνὸς Αἰητοῖδαο Παλαίμονος Ἀρχεμήριοιο.

ἀθλα δὲ τῶν κότινος μῆλα σέλινα πίτυς.

The credit reflected on the town of the victor is continually the theme of Pindar's Odes.

ORATION XI. [22.]

['The importation of corn into Attica,' says Boeckh (p. 81), 'was equal to at least a third of the consumption.' It became therefore necessary to make careful regulations concerning it. Special officers (*σιτοφύλακες*) were appointed to see that these regulations were obeyed, and the penalty of death was inflicted not only on dealers who infringed the law, but sometimes even on these officers for failing to prevent it (§ 16).

The retail dealers (*σιτοπωλαι, κάπηλοι*, l. 164) were forbidden to charge more than one obol per *phormus* or *medimnus* in excess of the price at which they had purchased. And as an obvious way of evading this regulation would be to purchase a large stock and wait for a rise in the market price, a further regulation forbade the purchase of more than fifty *phormi* at a time.

In this case information had been laid before the Boulè that certain corn dealers had purchased more than the legal quantity of corn. Some members of the Boulè proposed that they should forthwith be handed over to the Eleven for execution. This proposal was resisted by the present speaker, who urged that they should have a fair trial. This seems to have caused him some discredit, as though he had wished to defend their illegal conduct. Accordingly, when the preliminary investigation came on before the Boulè, as was the ordinary method in cases of impeachment, he spoke against them by way of purging himself of the imputation (§ 3). And when in due course the case was remitted to an ordinary court, he delivered this speech against them.

The speech is almost entirely an appeal to the judges to act according to the laws, to vindicate their authority, and punish the offenders for the public advantage. There is no question of guilt or innocence, for the defendants admit their breach of the law. Their only pleas were—(1) That they acted in accordance with a suggestion of the *σιτοφύλακες*; (2) That what they did was for the public advantage, inasmuch that it secured a supply of corn. He answers—(1) By showing on evidence that no such suggestion was made by the *σιτοφύλακες*, and that if it had been it would not excuse a breach of a plain law; and (2) That their plea of acting for the public advantage is contradicted by the fact of their having varied the selling price by as much as a drachma in one day,—in itself a breach of the law.

There is no means of definitely settling the date of the speech;

but from § 14 we should perhaps gather that it was at any rate as late as B.C. 386-7. For the whole subject of the corn trade and laws at Athens, see Boeckh, pp. 81 *sq.*]

5. **ποιουμένους λόγους** vii. l. 260, 'making speeches,' almost 141 equivalent to **κατηγορούντες**, and distinguished from **λογοποιεῖν**, l. 101, which has an idea of falseness. **συκοφαντεῖν**, ii. l. 257, 'to be vexatious' or 'pettifogging.'

8. **οἱ πρυτάνεις**. The senate of 500 was divided into *Fifties*, called **πρυτάνεις**, for the management of the Ecclesia. These fifties subdivided themselves into *tens* (**πρόεδροι**), each of which took turns in that duty, and elected *one* of their number as President (**ἐπιστάτης**). **ἀπέδωσαν**, *rettulerunt*, 'they brought the case before the Boulè. We have had, vi. l. 129, **εἰς τὸ δημόσιον ἀπέδωσαν**; but we cannot say with Bremi that the expression is *haud rarum*. We must understand **τὸ χρῆμα** or **τὸν λόγον** after **ἀπέδωσαν**, as implied in **περὶ αὐτῶν**. Cf. Eur. Orat. 251, **λόγον ἀπόδος ἐφ' ὅτι χρέος ἐμόλετε**.

11. **τοῖς ἑνδεκα**. See iv. l. 60.

16. **ἡμῶν**, sc. **βουλευτῶν**.

18. **πεισθείσης . . ταῦτα** 'being persuaded to this.' For this accus. see on i. l. 7.

20-3. **τοὺς λόγους . . ἐποιοῦμην** here has no sense of accusing. See *infra*, 95. **πρὸς . . βουλήν** 'before the Boulè,' cf. v. l. 36. **ὅτ' ἦν αὐτοῖς ἡ κρίσις** 'when the preliminary trial was before them.' **κρίσις** here is equivalent to **ἀνάκρισις**, the preliminary trial before a magistrate to see whether the action was maintainable (**εἰσαγωγίμος**). 'When an impeachment was preferred before the Boulè . . . if their sentence was in favour of the impeachment they passed a resolution to that effect, of which their secretary gave notice to the Thesmothetæ, and it became the duty of those magistrates to bring the case for trial before a jury'—(Kennedy). **ἔργῳ ἀπελογησάμην** 'I made a practical defence' against these charges, *i.e.* by accusing the corn dealers I showed practically that it was from no personal feeling for them that I acted as I did before. **τῶν . . ἄλλων**, sc. **ρητόρων** *vel* **βουλευτῶν**, cf. l. 10.

25-7. **τούτων . . ἔνεκα** 'for the reasons I have described.'

27-9. **αἰσχροὺν . . ψηφίσθηθε** 'I think it base to stop till you have voted.' **πρὶν ἂν** should follow a negative sentence (Goodwin, § 240-2); but **αἰσχροὺν . . παύσασθαι** may be said to contain a negative idea. M. and T. § 647.

30-9. For an examination similarly reported in the first 142 person, see v. l. 167. One of the *σιτοπωλαι* is called up upon the Bema, and interrogated.

31. *ὡς πεισόμενος* 'on condition of obeying.'

33-5. *ἄλλο τι . . ἦ* = *πονη*? and therefore *ἔγωγε*, sc. *ἀξιῶ*, may stand in answer.

36-8. *πλείω . . πεντήκοντα φορμῶν ὧν . . κελεύει* 'more than the fifty measures which the law provides as the limit permissible.' *φορμός*, according to Boeckh (p. 82), is about the same as the *medimnus*. It properly means the 'basket' to carry it in [Rt. *φερ*, *φέρω*, *φορέω*, *φορ-ός*, etc. Curtius, 300]. *ὧν* is attracted into the case of *φορμῶν*. *τῶν ἀρχόντων*, sc. 'the corn inspectors,' *σιτοφύλακες*, who had especial authority in the matter of the corn trade, as the *ἀγοράνομοι* in the case of other commodities, Boeckh, p. 83, *infra* 115.

44. *παρεσχόμεθα* 'I produced,' i.e. when speaking in the Boulè, or in the written indictment (*γραφὴ*).

50. *κατὰ τοὺς νόμους ὁμωμόκατε*. See vii. l. 172, and the Dicasts' oath in Appendix IV.

54. *εἰς ἐκείνους*, sc. *εἰς τοὺς σιτοφύλακας*.

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55. *οἱ μὲν τέσσαρες κ.τ.λ.* Of these inspectors there were fifteen, ten in the city (*ἄστυ*) and five in the Peiræus. Harpocr. s. v. *σιτοφύλακες*; Boeckh, p. 83.

58. *ὑπερβαλλόντων* 'bidding against each other.'

61. *ὡς ἀξιότατον* 'as cheaply as possible.' *ἀξιος* 'worth the money,' hence 'cheap.'

62. *δεῖν γὰρ κ.τ.λ.* (I say to your interest) for it made no difference to them, seeing that they were obliged to sell at only an obol's profit per *phormus*.

64. *καταθέσθαι* 'to store it up.' The breach of the law would be the storing the corn till the price was raised, and then selling it so as to get more than obol profit without its being noticed that they did so, the price paid some time before being forgotten.

66-8. *καὶ ὡς κ.τ.λ.* 'and to prove that he (Anytus) said these words last year, and that they (the defendants) are proved to be guilty of engrossing corn this year.' *ἐπὶ τῆς προτέρας βουλῆς*

'during the existence of last year's Boulè.' ἐπὶ τῇσδε 'during the existence of this.' See vi. l. 137.

70-3. ἡγοῦμαι δ', ἂν κ.τ.λ. 'and I think that if they really do speak the truth about the inspectors, they will not excuse themselves, but accuse them.' 78. ἐλεύσεσθαι a rare use in Attic.

86-7. νυνὶ δὲ 'but in point of fact,' i. l. 12. δραχμῇ 'at a 144 profit of a drachma per *phormius*,' i.e. six times the legal profit. ὥσπερ κ.τ.λ. 'just as though they were buying by the medimnus at a time,' i.e. as though they had not a large store bought at a lower rate.

89-90. εἰσφορὰν, see ii. l. 299. ἦν πάντες κ.τ.λ. 'which all the town will needs know of.'

93-4. ταῦτα . . παρανομῆσαι 'this they declare that they 145 did in defiance of the law from goodwill to you.' 'I cannot believe,' he says, 'that they would refuse such a patriotic and creditable thing as an εἰσφορά, and yet from sheer patriotism run the risk of death by breaking the law.'

95-6. τοιούτους . . λόγους to advance such pleas, *supra*, l. 21.

101. τὰς δ' αὐτοὶ λογοποιούσιν 'and some disasters they invent themselves and put about.' For λογοποιούσιν, cf. viii. l. 85. The noble arts of 'Bulling' and 'Bearing' may, it seems, claim a respectable antiquity.

100-5. These rumours, set afloat in the corn market, seem to point to the period of Antalcidas' successes in the Hellespont, B.C. 388-7. κεκλείσθαι τὰ ἐμπόρια see on x. l. 332.

110-11. ἀλλ' ἀγαπῶμεν κ.τ.λ. viii. l. 131. 'But may think ourselves lucky if we manage to buy from them at any price whatever.' ἀπελθόμεν used with any participle gives the idea of *coming badly off*. Cf. Arist. Ach. 690, οὐ μὲν ἐχρήν σορὸν πρίασθαι τοῦτ' ὀφλῶν ἀπέρχομαι.

115. ἀγορανόμους. See *supra*, l. 36.

117-18. ἐκείνων, se. σιτοφυλάκων. They were punished for not preventing the offence. πολιτῶν ὄντων 'and that too though the offenders were citizens,' whereas these men are only Metics.

124-6. ὁμολογούντων . . τοὺς ἐμπόρους 'when they confess 146 with their own lips to making a 'corner' against the merchants.'

The *ἐμποροὶ* are the shippers of the corn, who bring it from Pontus or elsewhere, the offenders are *σιτοπῶλαι* 'corn-brokers' or 'dealers,' who buy it from the *ἐμποροὶ*. τοῖς *εἰσπλέουσιν* = τοῖς *ἐμπόροις*.

127. ἄλλην τινά 'any other defence than that which they have set up,' viz. that they had broken the law, but by the advice of the corn inspectors.

137. μᾶλλον, sc. rather than those who confess to the illegal act. Weidn. inserts ἢ παρὰ τῶν ἀρνούμενων.

146-9. The punishment is not only for the sake of the past, 147 but as a deterrent for the future. Cf. vii. l. 88. τῶν παρελθόντων, sc. ἀδικημάτων. οὕτω i.e. 'if you acquit them.'

151. περὶ τοῦ σώματος . . ἡγωνισμένοι 'many have been tried for their life'; in another sense see i. l. 6.

158. ἀπέθνησκον 'were dying with hunger.'

163. καπήλων 'retail dealers,' an invidious term for the *σιτοπῶλαι*.

167. πυθέσθαι 'to be informed' as to the merits of the case.

ORATION XII. [23.]

[This is an answer to a special plea (*παραγραφή*) demurring to the jurisdiction of the magistrate before whom an action had been brought.

The speaker, conceiving himself to be wronged by Panceleon, and believing him to be an alien, summoned him before the Polemarchus, who had jurisdiction in suits in which foreigners were implicated. Panceleon declared himself to be a Platæan, possessed, therefore, of Athenian citizenship, and on the register of the Deme Decelea.

The speaker here gives his reasons for disbelieving this assertion.

(1) He describes how he went to the various places frequented by the members of the Deme Decelea, and made inquiries, and found that no one knew such a member of the Deme. One man, however, said that a slave of that name had run away from him, and his description tallied with Panceleon's age and appearance.

(2) A few days afterwards the speaker happened to see Panceleon being actually arrested on the charge of being the slave of Nico-medes. His friends gave bail for his appearance, alleging that his

freedom could be proved. The speaker had the curiosity to attend the court next day, and witnessed the proceedings. So far from the promised proof being forthcoming, *two* people claimed him as their slave, and his friends, taking advantage of the dispute, forcibly removed him.

(3) On another occasion he discovered that Panceleon had been summoned by one Aristodicus before the Polemarchus, and had entered the same demurrer, but had failed to establish it; and though he commenced a suit for false witness against one of the witnesses who asserted in his evidence on the demurrer that he was not a Platæan, he abandoned it, and lost his suit.

(4) Again, not being able to pay the money due in consequence of this suit on the right day, he had taken refuge at Thebes,—the last place in the world to which a real Platæan would go.

There is nothing to make us certain as to the date of the speech. But some reason is given in the note on l. 108 for imagining that it was probably some little time before B.C. 387.

We have no other speech by Lysias on a *παραγραφή*, though there is an allusion to such a proceeding in ix. § 5. For examples of it see Demosthenes in *Phormiona*, *πρὸς τὴν Λακρίτου παραγραφὴν*, in *Pantaenetum*, etc.]

3-4. *τὴν δίκην λαχόν*. 'I obtained leave to bring the suit,' 148 *i.e.* at the *ἀνάκρισις* before the Archon, see xi. l. 21. *οὐκ ὄντι Πλαταιεῖ* 'not being, as he asserts, a Platæan.' The 200 Platæans who escaped during the siege of Platæa by the Thebans in B.C. 428 [Thucyd. 3, 20, *sq.*] were received at Athens and endowed with the citizenship. The bulk of the Platæans, however, were settled afterwards in Scione [Thucyd. 5, 32, 1]; nor can it be said that the Platæans, as a whole, any more than any other State, obtained the citizenship. It was those of them who took refuge in Attica; just as in B.C. 373, when their town was a second time destroyed, Diodorus says (15, 46), *οἱ δὲ Πλαταιεῖς εἰς Ἀθήνας μετὰ τέκνων καὶ γυναίκων φυγόντες τῆς ἰσοπολιτείας ἔτυχον διὰ τὴν χρηστότητα τοῦ δήμου*. See Hermann, § 117. Aristoph. *Ran.* 694.

7-8. *πρὸς τὸν πολέμαρχον* before the Archon Polemarchus, *i.e.* the third Archon, before whom suits in which aliens were involved would come on the *ἀνάκρισις*; that is, he was the *εἰσαγωγεὺς*, the magistrate who gave, or refused, leave for the suit to be brought before a court. *προσεκαλεσάμην* 'I summoned him; ' a practical instance of this *πρόσκλησις* is found in Nub. 1220, *sq.*, where, in summoning Strepsiades, Pasiās begins by 'naming the day' for his appearance.

10-11. *ἥρόμην ὅπουθεν δημοτεύοιτο* 'I asked him to what deme

he belonged.' The locative *ὅπθεν* is used as in the termination of the names of the Deme *Δεκελειόθεν* 'Αλωπεκῆθεν, etc., and on the same principle as we say *οἱ ἐκ τῆς πόλεως, ἐκ τῆς στρατίας* κ.τ.λ. If he was a citizen by birth or by special grant he would have to be enrolled in some deme and entered on the register (*τὸ ληξιαρχικόν*). See iv. l. 209. *παραινέσαντος* . : *τῶν παρόντων* 'one of my witnesses having suggested to me that I should summon him also before the tribe to which he pretended to belong.' For *τῶν παρόντων*, see *infra*, l. 61.

13-14. *Δεκελιόθεν* . . *δικάζοντας*. The Deme Decelea belonged to the tribe Hippothoontis. *τοὺς τῇ Ἱπποθωντίδι δικάζοντας* 'before the official arbitrators of the tribe Hippothoontis,' before whom civil suits were first heard. See iv. l. 36. There were four elected annually from each of the ten tribes.

15. *ἐπὶ τὸ κουρείον τὸ παρὰ τοὺς Ἑρμᾶς* 'to the barber's shop in the street of the Hermæ.' The barber's shop in all ages has been the resort of gossips and loungers. In Athens various shops were thus used, see xiii. ll. 147-9. We have had an instance of a banker's bureau used in this way, iii. l. 28. Cf. Arist. Av. 144 *δταν λέγωσιν . . τοῖς μειρακίοις ἐν τοῖσι κουρείοις ταῖ*, and in Eq. 1375, *τὰ μειράκια τὰν τῷ μύρῳ*. Cf. Plut. 338. A man who entirely avoided such places was considered morose, —what Dr. Johnson would have called an *unclubable* man. See Demosth. 786, quoted by Becker, *Charicles*, p. 279. From this passage and that in xiii. we may learn that these places sometimes got a political importance by being the resort of a particular tribe or party. *παρὰ τοὺς Ἑρμᾶς* according to Harpocration these Hermæ were arranged along the covered street or stoa, dividing the side of the Agora between the *στοὰ ποικίλη* and the *στοὰ βασιλεια*, both of which were on the right as one entered the Agora from the Keramicus (Paus. 1, 3, 1); Aeschines (in Ctes. § 183) has *ἐν τῇ στοᾷ τῇ τῶν Ἑρμῶν*. There were many other Hermæ in the town, but this street was called specially from them.

16. *οἱ Δεκελεῖς* the people of the Deme Decelea. *προσφοιτῶσιν* 'habitually go,' xiii. l. 148.

20-4. *φεύγοι* . . *ὥφλήκοι* 'that he is now defendant,' 'and 149 has before this been cast.' In direct speech it would be *φεύγει* . . *ὥφληκε*. See Goodwin, § 203. *αὐτῷ* 'against him.' Goodwin, § 184, 2.

26. *καί μοι ἐπιλαβε τὸ ὕδωρ* 'and please to stop the water.' The water clock by which the time allowed to a speaker was measured consisted of a round globe and a pipe

through which the water escaped ; the escape of the water could be stopped by a *πῶμα*, and this was done when documents were read, or evidence given, which interrupted the speaker. The quantity of water allowed to each speaker was measured by amphoræ, Dem. 1052, and varied in various cases. *Καί . . ἐπ' αὐτῷ κ.τ.λ.* is addressed to the officer who had the duty of regulating the clock (*ὁ ἐφ' ὕδωρ*). See Dict. of Antiq. s. v. *horologium*.

29-30. *ἀντεγράψατο* 'laid a counter indictment against me,' i.e. instead of pleading to my indictment he brought a cross action against me, to the effect that my action would not lie (*μὴ εἰσαγῶγιμον εἶναι*) because I had brought it before the wrong Archon. *ἀντιγραφὴ* is generically any plea put in by the defendant in answer to the indictment *γραφὴ*. In this case, as it did not answer directly the indictment, but raised a side issue, it is equivalent to *παραγραφὴ*, *παραγράφεσθαι*. *περὶ πολλοῦ ποιούμενος . . βούλεσθαι* 'considering it very important not to be thought by any one to wish to act lawlessly rather than to exact satisfaction for my wrongs.' For *ὑβρίζαν* 'to act with high-handed disregard of law,' see ii. l. 87.

38. *ἡρώτων δὴ* 'I naturally began asking.' *δὴ* = 'as a 150 matter of course,' introducing a consequence of what preceded.

41. *εἰς τὸν χλωρὸν τυρὸν* 'to the cheese market,' lit. 'to the fresh cheese.' [It was brought to market in wicker shapes, for Hercules *αὐτοῖς τοῖς ταλάροις κατήσθιεν*, Arist. R. 559.] The ware stands for the place in which it is sold: so, *τὰ δρνεα* 'the bird-market' (Arist. Av. 16), *τὸ ὄψον* 'the provision-market,' *ὁ οἶνος* 'the wine-market,' and so on. Becker (*Charicles*, p. 286) quotes Eupolis, *περιήλθον εἰς τὰ σκόροδα καὶ τὰ κρόμμυα καὶ τὸν λιβανωτὸν, καὶ εὐθὺ τῶν ἀρωμάτων καὶ περὶ τὰ γέλγη. τῇ ἑνῇ καὶ νέῃ* 'the last day of the month.' The new month began on the evening of the last day of the old month, which was therefore called 'old and new' [Donaldson, pp. 637-8. For the etymology of *ἔνος* connected with *sen-ex*, etc., see Curtius, 311]. The interest on money was generally due on that day, and it was a day for hearing suits, which would account for there being an extra attendance; besides the fact of its apparently being a market day. See Arist. Nub. 1133-6, 1222, 1180-2. [*ἔνος* not *ένος*. See Meisterh. pp. 66, 130.]

48-50. *ἀφιστάτω* 'who had deserted,' a word properly applying to a slave living apart from his master (*χωρὶς οἰκῶν*), who, if he failed in his duty to his patron, could be prosecuted on a *δίκη ἀποστασίου*. Dem. 940. For the *χωρὶς οἰκοῦντες*,

see Dem. 50 and 1161. Müller's *Dorians*, 2, p. 43. τὴν τέχνην i.e. that of a fuller, see l. 7.

53. τὸν δὲ ἔφη . . εἶναι 'and the man who said that he was his owner.' The use of the article as a personal pronoun common in Homer left its traces in Attic, as in the common phrase ὁ μὲν—ὁ δέ, and in such phrases as πρὸ τοῦ, v. l. 9; ἐν τοῖς πρῶτοι δὲ Ἀθηναῖοι . . κατέθεντο, Thucyd. 1, 6, 3. Cf. 3, 17, 1. We have had in x. l. 409, τὸν καὶ τὸν. [See Matth. Gr. Gr. § 289.] Rauchenstein justifies it on the ground that the relative sentence is a paraphrase (Umschreibung) of a substantive, as though δὲ-ἔφη-δεσπότης-τούτου-εἶναι was to be regarded as forming a substantive. Others think that the word Νικομήδην has been lost. See l. 57.

56. ἀγόμενον sc. εἰς δουλείαν, i.e. 'being arrested on the 151 ground that he was a slave.'

60-2. δὲ ξειρήσουτο . . εἰς ἔλ. 'who would vindicate his freedom.' For the tense and mood, see *supra*, l. 20. τῶν τούτῳ παρόντων some of the defendant's witnesses (l. 11), i.e. those bystanders whom he appealed to. A man thus assaulted or wrongfully arrested said, μαρτύρομαι, 'I call the bystanders to witness.' Arist. Nub. 1297; Acharn. 927.

62-3. ἐπὶ τούτοις . . ἀπιόντες 'on these pleas, having given bail that they would produce him, they went their way and departed.' παρέξιν εἰς ἀγορὰν seems to mean 'to produce in court,' ἀγορὰν standing generally for all public places and buildings. The peculiarity of the phrase has induced some to suggest the reading εἰς αὐριον, which seems to have some support from l. 64.

66. παραγενέσθαι 'to be in court.

67-8. ἐφ' οἷς μὲν οὖν ἐξηγγήθη 'now as to the plea on which he was released on bail.'

70. ἀμφισβητοῦσα τῷ Νικομήδει 'claiming him as her slave against Nicomedes.

73. οἱ παρόντες τούτῳ 'the defendant's witnesses,' ll. 11, 60.

76. ξειροῖτο ἢ ἀγοι sc. εἰς ἐλευθερίαν ἢ εἰς δουλείαν, ll. 56, 62.

78. ἀφελόμενοι sc. οἱ παρόντες τούτῳ. The defendant's friends, without accepting either alternative, simply carried him off by main force.

83. μή τι *nedum* 'to say nothing of.'

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85-6. τοῖς βιαίοις sc. δίκη βιαίων. Harpocr. s. v. βιαίων, ὄνομα δίκης κατὰ τῶν βία πραττόντων ὁτιοῦν. Demosthenes Pantaen. 976, classes together αἰκία, ὕβρις, βίαια, and πρὸς ἐπικλήρους ἀδικήματα. It includes any violent conduct, whether accompanied by actual assault or not. See Dicty. of Ant. v. βιαίων δίκη. ἐνόχους . . βιαίοις. See vii. l. 65.

90. περὶ τοῦ σώματος see on i. l. 1, 'on the question of his civil status.'

95. ἀντωμοσία part of the ἀνδκρίσις or preliminary investigation. The sworn depositions on either side, also called διωμοσία.

98. διαμαρτυρήθη μή Πλαταιεὺς εἶναι 'he was affirmed in the depositions not to be a Platæan.' διαμαρτυρία was evidence called in support of or against an objection raised to an ἀνδκρίσις. Here the defendant had been summoned before the Archon Polemarchus; he demurred to the jurisdiction; and the evidence on that demurrer is called διαμαρτυρία; in the course of it it was asserted that he was not a Platæan; the technical word, therefore, διαμαρτυρήθη, is used.

99. ἐπισκηψάμενος . . ἐπέηλθεν 'having brought an action against the witness for false evidence, he did not carry it out.' Cf. Plat. Legg. 937 B. ἐὰν ἐπισκηφθῇ τὰ ψευδῇ μαρτυρῆσαι (L. and Sc.) ἐπίσκηψις is a name of δίκη ψευδομαρτυρίων, and the prosecutor was said ἐπισκηπτεσθαι. See Dicty. Ant. s. v. μαρτύρια, and Demosth. 1154.

100. εἶασε . . Ἀριστόδικον 'he allowed Aristodicus to obtain a verdict against him.'

101-2. ἐπεὶ δὲ ὑπερήμερος ἐγένετο 'and when he failed to pay the damages assessed against him on the right day.' A fine was payable by the ninth Prytany (about three months) after its infliction, or a double amount was incurred. Andoc. Myst. § 10. For the Prytany, see xi. l. 8. ἔτίεσε . . ἐπειθε 'he discharged the debt on the best terms he could get.' καθότι ἐπειθε seems to mean, 'as he could persuade Aristodicus to take the money.'

105. πρὶν . . αὐτῷ 'before he had made this composition 153 with him.'

108. πανταχοῦ μᾶλλον ἢ Θήβησιν 'anywhere in the world rather than Thebes.' The Thebans had been inveterate enemies

of Plataea, long before the beginning of the Peloponnesian War. Plataea itself had been destroyed by them [B.C. 427], and was not restored again till about 387 B.C. If it had been restored when these transactions took place, Panceleon would more naturally have gone there; or, at any rate, the speaker would have taunted him with not doing so.

ORATION XIII. [24.]

[At Athens those persons whose whole property was below three minae, and who were in any way disabled in body (*ἀδύνατοι*), received a dole of an obol a day, subject to an examination (*δοκιμασία*) each year by the Boulè (l. 195). The amount of the dole seems to have varied (Harpocrat. s. v. *ἀδύνατοι*), but in this case it was an obol (l. 198). Aristot. R. A. 49 says two obols.

The speaker has been opposed on coming to pass his annual *δοκιμασία*, and this speech is delivered before the Boulè in support of his claim.

His opponent has asserted (1) that he has a trade: (2) That he is known to ride on horseback and associate with rich men: (3) That he and his shop bear a bad character.

He answers (1) that his trade is not sufficient to support him, and that he cannot afford to buy a slave to help him: (2) That he only rides borrowed horses, and only when he is obliged to go distances which his bodily infirmity will not allow of: (3) That what is said of his shop might be said of all others, and that he has no control over the characters of those who frequent it. He ends with an appeal to the feelings of his hearers.

There is a good deal of rough and rather coarse humour in the speech, which Lysias has evidently suited to the general character and bearing of the person who is to deliver it, whom one suspects of not being as innocent a person as he pretends.

No public event, except the Revolution, is alluded to by which we might fix the date.

For the whole subject of the allowance to *ἀδύνατοι* see Boeckh, p. 242 sq.]

2. *παρεσκεύασε* 'got up,' with an idea of something not 154 straightforward. See ii. l. 122.

12. *ἐνεκα χρημάτων . . συκοφαντῆς*, this is the proper meaning of *συκοφαντία*, getting up accusations for the sake of personal gain. Cf. ii. l. 140.

14-15. *οὔτε . . αὐτῷ* 'I never had any intercourse with him either as friend or foe.' *ἐχρησάμην* cf. x. l. 111.

16. **τοιούτη** . . **συμφορᾷ** *sc.* his crippled condition.

19. **καλῶς** 'in an honourable manner.' *W.* **εἰκότως**.

20-1. **εἰ γὰρ** . . **διοίσω** *i.e.* if I were as decrepit in mind as I am in body, I should be exactly like my accuser. *Cf.* l. 161.

27. **τῶν ἀδυνάτων** 'of those whom the law regards as disabled.'

28. **τοιούτην ὥστε**. For Lysias' constructions of **τοιούτος**, see Index.

32. **ἀναλίσκαιν** *sc.* **ἀργύριον** 'to be extravagant.'

38. **παῖδες δέ μοι οὐπω** . . **θεραπεύσουσι**. It is not clear whether he means that he has no children, or that they are not yet old enough to help him.

41. **τὸν διαδεξόμενον** . . **κτήσασθαι** 'and I cannot yet afford to buy a slave to learn my business and carry it on for me.'

46-7. **ἂ νωτέρῳ** . . **ἔδοτε** 'what you granted me when I was 15 younger and more active.' **ἔδοτε** the 2d aor. **ἔδωκ** is not used in the singular, see Veitch. **ἐρρωμένῳ** (**δῶννυμι**), vi. l. 216, seems here to refer to mind no less than body. *Cf.* l. 122.

51-2. **ἀγρίως ἀποδέξῃσθε** 'give a rough reception to,' 'regard with anger.' *Cf.* **τὸ τῆς διανοίας ἀγρίον καὶ πικρὸν ἐνταῦθα δηλοῖ**. Demosth. 1122. **τολμήσαντες** 'by having been hard-hearted enough.' *Cf.* **οὐκ ἐτόλμησαν ἀποστήναι τῆς ἡμετέρας φίλης**, xvi. l. 159; and Index.

58-60. **ἀφαιρεθείην** *sc.* **τὸ ἀργύριον**. See *infra*, l. 100; v. l. 671. **σαφέστατα μόνος ἀνθρώπων** 'more clearly than any one in the world.' See Madvig, § 96, Rem. 3.

61-2. **χορηγὸς τραγωδοῖς**. See ii. l. 209. **προκαλεσαμένη αὐτὸν εἰς ἀντίδοσιν** 'I should challenge him to an exchange of properties.' For this **ἀντίδοσις**, see Dicty. of Antiq. 'If any one considered that he was unjustly required to discharge any of the public burdens, being able to point out a person who had been passed over, though better able to discharge a liturgy than himself, he might challenge such party to an exchange of property, which if the latter declined, he was bound to discharge the disputed liturgy.' Hermann, § 162. There is a grim humour in such a man talking of an 'exchange of properties.'

64-6. ἐξ ἴσου 'on an equal footing.' τοιοῦτον εἶναι 'to behave as he does.' Cf. l. 178.

68-9. ἱππικῆς sc. τέχνης, but it simply here means 'use of 157 horses' or 'riding.' ἐτόλμησε ποτεῖν, see on l. 51, 'has had the assurance.' οὔτε τὴν τύχην δέσους 'having no fear of fortune before his eyes,' i.e. which may reduce him or any one else to my state. ὑμᾶς αἰσχυνθεῖς sc. ἐνάντιον ὑμῶν λέγειν. Dem. 1022.

72-3. τοῦτο φιλοσοφεῖν 'to study this.' Demosthenes, 1181, uses it in a bad sense, οὕτω πεφιλοσόφηκεν ὥστε μὴ εἶναι ὑμᾶς ἀκούσαι τῶν συνθηκῶν, 'he so contrived.' ὥς ἀλυνότατα μεταχειρισθῆναι 'shall manage with the least pain to themselves.'

80. ἐπ' ἀστράβης ἂν ὤχούμην. 'I should have ridden on a mule-saddle,' i.e. I should have used mules, not horses, by choice, if I had ridden merely to please myself; but as it is, I have been obliged to ride and to put up with what I could borrow, not being able to afford anything myself. The ἀστράβη was a saddle for mules or asses, and mostly used by women, as the passage quoted from Cynatho by Athenæus (582 B and C) shows. One of Demosthenes' taunts against Midias for his luxury and effeminacy was that he rode ἐπ' ἀστράβης ἀργυρᾶς τῆς ἐξ Εὐβολίας (Midias, 558), cf. Æsch. Supp. 281. Harpocration says that the word came to be applied to any animal used for riding. Suidas, among other explanations, says τὸ ἐπὶ τῶν ἐφίππων ξύλον, ὃ κρατοῦσιν οἱ καθεζόμενοι, i.e. a kind of pommel.

83. ἄλλοτρίοις, i.e. 'borrowed.'

86-7. τί γὰρ ἂν καὶ εἰπεν 'for what could he have said?' i.e. at such a natural thing for a cripple to do: for it was cheap in comparison to horses (εὐτελῶς, Athenæus l. c.), though beyond his means, which made him resort to borrowing horses. ἤτη-μένους 'asked as a loan.'

90-94. τῶν δυναμένων opposed to ἀδυνάτων. οἷς . . χρῶμαι 'both of which ('horses' and 'two sticks' or 'crutches') I use for the same reason,' i.e. my bodily infirmity. Demosth. 981.

97. τοσοῦτους . . εἰς. See l. 167.

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99. κληροῦσθαι τῶν ἐννέα ἀρχόντων 'to draw lots for office as one of the nine Archons.' The candidate was said κληροῦσθαι, and if he did so successfully he was said λαχεῖν. From the time of Aristides (after the battle of Plataea, 479 B.C.) the archonship had been opened to all citizens, without distinction of wealth, and from about B.C. 461 the Archons were appointed by lot (κληρούμενοι), both in the tribal and final selection. When thus selected they had to stand scrutiny (δοκιμασία), and among the qualifica-

tions necessary was freedom from bodily defects, probably on account of the sacrifices which they had to perform. See on this subject Boeckh, pp. 508-9. There must, however, have been some practical means of preventing men wholly obscure or poor from drawing the lots, for we do not hear of any such men in office, in spite of the sarcasms of Aristophanes (*Equit.* 185 sq.); and in the instance of Theogenes, quoted from the *Oration C. Neaer.* 1369, the speaker expressly says that though poor and unversed in public business, he was *εὐγενής*. Grote, v. p. 211.

100. *ἐμοῦ ἀφελέσθαι*. All three constructions are found with *ἀφαιρεῖσθαι τι τινί*, or *τινός*, or *τινα*, as in l. 103. Clyde, § 77 b.

102. *οὐ γὰρ δὴπου* introducing an inadmissible supposition. See iv. l. 48; vi. l. 349.

104-7. *ἀλλὰ γὰρ . . εἰ ποῖων*. 'But the fact is—neither do you entertain the same opinion as my opponent, nor does he in his better moments,' or, 'if he did what was right.' Cf. xiv. l. 56, xvi. 132. Cf. Plut. *γαμικὰ* 29, *δεῖ τὴν οἰκοδόσπουσαν πᾶν τὸ ἐταιρικόν, εἰ ποιοῦσαν, φεύγειν*; and *καλῶς ποῖων* 'fortunately,' Polyb. 28, 9, 7; Aesch. in Ctes. § 232. *ὁ μὲν γὰρ ὥσπερ . . ἦκει* 'for he is come here to argue as though my misfortune were an inheritance,' i.e. as though my misfortune brought me money. *ἐπίκληρος* in legal language is an 'heirress.'

112-13. *ὑβριστής*. See ii. l. 87. It has generally a sense of lewdness attached to it. See Paley and Sandys on Dem. Pant. § 33. *ἀσελγῶς* 'licentiously,' we find it joined with *δεσποτικῶς*, *πολυτελῶς*, *προπετῶς*, *παρανόμως*.

113-15. *ὥσπερ εἰ φοβερῶς . . ποιήσων*. 'As though he could only speak the truth if he used terrible words, and could not do so if he used only mild words and abstained from exaggeration' (*μηδὲ ψεύδεται*), i.e. as though violent abuse was the only way of fully expressing my wickedness. *ταῦτα ποιήσων* sc. *ἀληθῆ λέγων*. *εἰ φοβερῶς ὀνομάσαι* 'if he should use terrifying language;' cf. Demosth. de Cor. 237, *μᾶλα σεμνῶς ὀνομάζων*.

120-2. *τῶν ἀναγκαίων* 'bare necessities.' *μάλιστα πιστεύοντες . . ῥώμαις* equiv. to *ἐρρωμένοις*, l. 47.

118-135. This whole passage is an example of the *antithetical* style of composition, in which Lysias happily indulged much less frequently than, for instance, Isocrates, who employed it to a wearisome extent. Every clause contains a regularly balanced antithesis:—*πενομένοις . . τοῖς . . πλείω τῶν ἀναγκαίων κεκτη-*

μένοις—ἀδυνάτους . . πιστεύοντας ῥώμαις τοὺς—προβεβη-
κότας τῇ ἡλικίᾳ . . τοὺς ἔτι νέους—πλούσιοι . . πένητες, and
so on. Cf. vi. l. 186.

124. νέαις is predicative, 'with their thoughts still youthful.'
It is used in the sense noticed in νεανιεύεσθαι, iv. l. 192.

129-130. τοῖς δ' ἐτέροις, i.e. 'the old.' ἀμφοτέροι 'both
young and old.'

133-4. τοὺς ὑπάρξαντας *qui ultro laedunt* 'those who
give the provocation.' οὔτε ὑβρίζειν . . ἀδικουμένων 'nor, if
they wish to be guilty of violence, can they get the better of
their intended victims.'

136-9. σπουδάζων 'in earnest.' ὥσπερ . . ποιῶν 'as though
he were perpetrating a capital joke.' ποιῶν has its sense from
κωμῳδεῖν, 'composing' as a comic writer would.

140-3. Probably the insinuation had been that gambling 160
went on at his shop.

147-50. δημιουργοὺς men carrying on a trade or profession
as opposed to ἰδιῶται. ἕκαστος . . τύχῃ. See on xii. l. 15.

150-1. τοὺς . . κατεσκευασμένους 'who reside quite close to
the Agora,' x. l. 376. The Agora was surrounded by *tabernæ* or
shops, and they were naturally more filled by the loungers in
the Agora than others more remote. For the daily visit to the
Agora, which was a usual habit of the Athenian, see Becker,
Charicles, p. 278, xii. 15. κατεσκευασμένους 'in a permanent
abode,' 'set up.' Cf. κατεσκευασμαι τέχνην μυρεψικῇν, Lys. fr. 2.

153. πονηρίαν . . τῶν κ.τ.λ. Goodwin, § 173, 2, note, 'if
any one of you shall condemn those who frequented my shop for
wickedness.'

156-7. ἀμοῦ γέ που 'to some shop or other.' ἀμοῦ is the
locative of an obsolete adjective, ἀμός = εἷς. Curtius, 322.

161-2. περὶ τῶν . . σπουδάζειν 'to talk earnestly about
things as trifling as is the character of my opponent,' a gibe
like that in l. 20.

164-6. οὐδ' ἂν μόνου . . με 'the part or lot in my country which 161
fortune has allowed me,' sc. the dole. His infirmity pre-
vents him from taking part in any of the ordinary functions

of a citizen. The only thing he gets from his citizenship is an obol a day.

167. πάντες . . εἰς ὧν. The same antithesis is in l. 97.

168-9. τῶν μεγίστων ἀρχῶν *i.e.* the archonship, see l. 99.

175-6. προνοηθεῖσα τῶν οὕτως διακειμένων 'in its charitable consideration for men thus situated.'

178. τοιούτων 'in such a disposition.' Cf. l. 65.

181-4. πολυπράγμων 'a busybody.' ἀλλ' οὐ τοιαύταις . . χρώμενος 'but I do not happen to use such means for such ends.' A rather pompous way of saying that he is not the sort of person he is alleged to be. ἀφορμή 'means of starting.'

187-9. ἐπὶ . . τριάκοντα at the time of the Thirty. See v. and vi. Χαλκίδα Chalcis in Euboea, to which place some of the Democratic party fled in the winter of B.C. 404, while others went to Megara, Thebes, and elsewhere. See Appendix.

194. ταῖς ἄλλαις βουλαῖς *i.e.* the senates of former years, as 162 the Boulè was elected new every year. xi. l. 67. It seems that the receiver of the dole had to be examined each year by the existing Boulè.

197. εὐθύνας see iii. l. 61.

202-3. τῶν ὁμοίων . . περιγίγνεσθαι 'to try to get the better of men as strong as himself.'

ORATION XIV. [28.]

[This speech, in itself not a feeble one, is made the more interesting by introducing us to the closing scene in the life of Thrasybulus, the preserver of the Democracy of Athens, and the hero of Phylè and the Peiræus.

In B.C. 390 [year of *Demostratus*, B.C. 390-389], a squadron of ten ships sent to the assistance of Evagoras was captured by the Spartan Teleutias. The Athenians were much moved by this, looking on it as a sign that Sparta was recovering her naval superiority and influence in the Ægean. The State was very poor, but great exertions were made, and a fleet of forty triremes despatched under Thrasybulus (the speaker seems to insinuate that it was at his instance also, l. 24), with general orders to

secure Athenian ascendancy in Asia Minor and the islands, especially in Rhodes, which had shown its democratic bias by its reception of Conon just before the battle of Cnidus.

Thrasybulus, however, did not go to Rhodes first, but sailed straight to the Hellespont. Here he seems to have spent the remainder of the year, employed in collecting money from the Greek cities of Thrace, and in reconciling to each other and to Athens the two Thracian princes, Medokus and Seuthes.

While there the order came out from home,—the people having become impatient, and no doubt exaggerated reports having been sent home,—that he should return with a schedule of the money he had received, and with his colleagues submit to an audit (*εἰσθυναί*).

Ergocles advised him to disobey this order. And he at any rate did not obey it at once. He (probably early in B.C. 389) seized Byzantium; secured a sum of money by selling the contract for collecting the tolls of ships out of the Pontus; thence crossed to Lesbos and gained considerable successes there over the Spartan harmost and troops; and thence deliberately coasted along the shores of Asia Minor, collecting money from the various States as he went, until he came to the mouth of the river Eurymedon in Pamphylia. Sixty stades (about eight miles) up this river was the town of Aspendus, an Argive colony, of considerable wealth; here Thrasybulus made the usual demand of *φόρος*, and obtained it. His soldiers, however, seem to have committed some depredations, which so enraged the Aspendians, that they attacked the Athenians in the night, and killed, among others, Thrasybulus himself in his tent.

When the news of this arrived at Athens they elected Agyrrius to succeed Thrasybulus as Strategus, and sent him to fetch home the ships (*ἐπὶ τὰς ναῦς*). There came home a 'beggarly account' of worn-out vessels; and the usual vengeance of the disappointed Demus fell upon the surviving commanders. Among others Ergocles was impeached; the people voted that he should be tried before the Boulè, and elected public prosecutors (*συνήγοροι*) to conduct the prosecution. This is a speech of one of these *συνήγοροι*.

The evidence of the crimes committed had been spoken to by others. The present speech is devoted to a passionate appeal for his punishment. To aggravate the feelings of his hearers against Ergocles, he enlarges on the disappointment of the hopes entertained at the starting of the expedition,—on the ill advice given by Ergocles to Thrasybulus,—on the wealth that he and his colleagues have acquired without adding to that of the State,—on the scandal that will fall upon the State if they are acquitted. Nor are his (Ergocles') former acts of patriotism, he argues, sufficient to secure his forgiveness. Whatever merit he once had has been more than counterbalanced by his treason and extortion. [See Xenoph. Hell. 4, 8, 25-31. Diodor. xiv. 99.]

The date is probably the autumn of B.C. 389. The result, we learn from the speech of Lysias against Philocrates, § 2, was the condemnation to death of Ergocles, and the confiscation of his goods. Though from the mention of Demosthenes (Fals. Leg. 398) of Ergocles having been heavily mulcted, without referring to his death, it seems possible that he avoided in some way the extreme penalty.]

6. *προξένους* 'to the class of *ισοτελείς* belonged the *πρόξενοι*, whom the State appointed in foreign stations to watch over the interests of its citizens, giving them in turn, besides the rights of public guests, all the privileges which a stranger could possess in Athens.' Demosthenes (Lept. § 49) classes together *εὐεργεσίαν προξενίαν ἀτέλειαν ἀπάντων*. Hermann, § 116. *προδεδωκὸς φαίνεται* 'he has evidently betrayed.' ii. l. 119.

9. *αὐτοῖς* i.e. Ergocles and his colleagues.

11. *καταλυομένους* 'dispersing.' Cf. Dem. 1188, *ἀμυσθον τὸ 163 στρατεύμα καταλέλυσθαι*.

17. *εἰσφοραῖς* 'war taxes.' ii. l. 209.

19. *οἰκῶν* 'estates.' See *infra*, l. 101; x. l. 304. 'Even when your private property and the public revenues were large.' The *πρόσοδοι* would include all incomings to the Exchequer, a list of which is given in Arist. Vesp. 656 sq., and the amount then reckoned as nearly 2000 talents (about £480,000). The Vespæ was represented in B.C. 423; but since that time the State had lost much of the *φόρος* from the islands and towns, and we have heard already of the poverty of the Exchequer. x. l. 66. See also Jowett's Thucyd. vol. ii. p. xxx. sq.

23-4. *εἰ ὑμῖν Θρασύβουλος κ.τ.λ.* 'if Thrasybulus had stated definitely to you that he was going to sail out,' etc. The expedition was sent in B.C. 390, on account of the loss of ten ships destroyed by the Spartan Teleutias while on their way to Evagoras [Xen. Hell. 4, 8, 24]. The speaker chooses to describe the expedition of Thrasybulus (the hero of Phylæ, see v. Introd.) as disastrous, but it was in fact a successful one. He sailed to the Hellespont, and secured the friendship of the king of the Odrysi and of Seuthes to Athens, as a means of winning the Greek cities on the coast of Thrace. He then sailed to Byzantium, sold the contract for the collection of the tolls paid by ships going out of the Pontus, and brought about a revolution from an Oligarchy to Democracy in Byzantium itself. Then he sailed to Lesbos, where he defeated and killed the Spartan

harmost, Therimachus ; and thereupon obtained the submission of most of the towns, plundering those that refused ; then, collecting money from various other towns (*ἀργυρολογῶν*), he anchored in the Eurymedon. Here he stayed in the town Aspendus, and demanded and obtained a contribution ; but his soldiers appear to have misbehaved themselves, and the people of Aspendus in revenge made a night attack upon him, and killed him in his tent. [Xen. Hell. 4, 8, 25-30.] Ergocles accompanied him on the expedition, but came back safe.

32-5. ἄλλως τε καὶ ἐπειδὴ κ.τ.λ. 'especially as directly you 164 passed a vote that he was to make a schedule of the money taken from the cities, and that his fellow-commanders were to sail home to stand their audit, Ergocles said,' etc. The decree seems to have been passed some time after the expedition had started,—probably on complaints reaching Athens of his demands enforced on the cities,—and to have reached Thrasybulus before he had arrived at Byzantium. καταπλεῖν 'to sail home.' Cf. κατέρχομαι, κατέναι.

36. τῶν ἀρχαίων νόμων 'the old laws' were the laws regulating this collection of the φόρος when it was peacefully and regularly collected ; that is, from the Confederacy of Delos, B.C. 478, until the general or widely spread revolt of these islands and towns during the Peloponnesian war. Ergocles seems to have argued that they are in a state of war now, engaged in getting back the allegiance of revolted vassals, and everywhere opposed by their bitter enemies, the Spartans, and that the old laws do not hold good. Besides, after the Restoration, a review of the laws had been held, and fifty commissioners (νομοθέται) were elected to draw them up, and, when they had been sanctioned by the Boulè, to write them out upon σανίδες and expose them to view. See xv. The ἀρχαῖοι νόμοι may refer to the laws as they existed before this revision. Andoc. 1. § 80-4. Or, again, he may refer to a change made at the time of the Spartan occupation of Decelea, whereby the φόρος was commuted to a five per cent duty on the exports and imports of some of the subject States collected at their harbours. Thucyd. 7, 28, 4.

38. τὰς ναὺς ἔχαιν 'to hold, or keep, the ships as a pledge of safety.' So in Dem. 886, τὴν μὲν ναῦν οἱ ἐπὶ τῇ νηὶ δεδανεικότες ἐνθένδε εὐθέως εἶχον, τὸν δὲ σῖτον ὁ ἡγορακῶς εἶχεν.

41. ἐπιβουλευόντας . . καθήσθαι 'to sit idly at home plotting against you.' Demosth. Olynth. B. 24, καθήμεθα οὐδὲν ποιούντες. Even if this speech was made by Ergocles, it does not show disloyalty so much as the feeling which 'Our Special Cor-

respondent' must have often roused in any commander engaged on active service.

43. *ἐνέπληντο*. Veitch objects to this word on the ground that it is not a prose form. Prose writers, he argues, used *ἐνεπλήσθη, -θησαν*. On the other hand, Cobet and others support *ἐνέπληντο* by Arist. *Vespæ*. 911, 1304. See also Rutherford, *New Phrygichus*, p. 63, who supports Cobet's emendation *ἐνέπληντο* for *ἐνεπέπληντο*. Aristoph. l. c. *εὐθὺς γὰρ ὡς ἐνέπληντο πολλῶν κάγαθῶν* 'as soon as they were gorged.'

44. *ἀπέλαυσαν* 'enjoyed a taste of,' with an idea of dishonesty. [Rt. λαF, λά-ω, ἀπο-λαύ-ω, λε-ία, λη-τ-(δ)-s, λη-τ-ξ-ο-μαι. Lat. *lā-cru-m*, Lav-er-na (goddess of thieves). Curtius, 365.] *ἄλλοτρίους* 'aliens,' as though they no longer owed any allegiance to the State.

48-9. *χωρία* 'fortified places.' Thucyd. 1, 12, 5. *ὀλιγαρχίαν καθιστάναι* we have seen (note on l. 23) that as a matter of fact Thrasybulus put down the Oligarchy in Byzantium.

54. *πρὸς τούτους* 'towards such men.'

56-7. *καλῶς ἐποίησεν . . βίον* 'did well to die as he did,' i.e. happily for himself, or he would have been arraigned on the same charge.

59-60. *ἤδη τι . . πεποιηκέναι* 'after his former good services,' 165 as in x. 398. There is no suggestion in *δοκοῦντα* of *appearance* as opposed to *reality*: *δοκοῦντα πεποιηκέναι* seems to be only a convenient periphrasis for *πεποιηκότα*.

60-1. *ἀλλὰ . . ἀπαλλαγήναι* 'but to be quits with the city in the way he was.' There is more than mere *departure* implied in *ἀπαλλαγήναι*. Cf. i. l. 28, and other examples in L. and Sc.

61-6. *διὰ τὴν πρώην ἐκκλησίαν* 'on account of the proceedings in the assembly the day before yesterday,' in which apparently the prosecution had been decided upon, and the public prosecutors (*συνήγοροι*) appointed. See Hermann, § 133. *πρώην* an adverb = either 'the day before yesterday,' or 'lately'; it seems originally to have been fem. accusative *πρωτῆν*, sc. *ᾠραν*. Curtius, 284-5. *ὄνουμένους κ.τ.λ.* 'but trying to purchase their lives from the orators (i.e. the public prosecutors), and from their private enemies and the Prytanes, and trying to corrupt many citizens with money.' For the Prytanes, see xi. l. 8. If the Boulè wished to impose a greater punishment than a fine of 500 drachmæ, they would have to bring it before the Ecclesia, and in this case this was

actually done [see Lys. in Philocr. § 7, Ἔργοκλέους . . θάνατον κατεχειροτονήσατε]. The Prytanes would have to put the question to the Ecclesia, and might be induced to refuse to do so. See the case of Socrates on the trial of the Generals after Arginusæ [Xen. Hell. 1, 7, 14, 15].

66-7. ὑπὲρ ὧν . . λαβοῦσι 'from which imputation (of being bribed) you ought to purge yourselves by punishing this man.' The aorist ἀπολογήσασθαι is properly applied to a single act which in itself would be a defence.

72-3. κρίνεται 'is on its trial.' The city is on its trial because it remains to be seen whether it will adopt such lawless proceedings towards its allies. τοῖς ἀρχουσι . . ὑμετέροις 'your officers,' put generally for all holders of offices; here especially military commanders (xv. l. 35).

75-6. τῷ αὐτῷ τρόπῳ . . ὥπερ, i.e. by bribes.

77. ἐν τοσαύτῃ ἀπορίᾳ, *supra*, l. 17; x. l. 66.

80-3. οὗτος . . παραδίδωσι . . καθίστησι 'this is just the sort of man to betray your walls and ships to the enemy, and set up an oligarchy.' οὗτος cf. l. 54. παρασκευῆς 'subornation.' See on ii. l. 122.

86. τῆς τούτων τιμωρίας 'than the punishment of such criminals.' τούτων men who are guilty of this particular crime. *Supra*, l. 54, 80.

88. Ἀλικαρνασσοῦ. Professor Jebb (*Attic Orators*, i. p. 166 222) observes that Xenophon does not name Halicarnassus, but only says that Thrasybulus collected money (ἡργυρολόγει) from several of the States as he coasted along. [Hell. 4, 8, 30.]

90. ὥς ἀπὸ Φυλῆς κ.τ.λ. i.e. he will appeal to his services to the Democracy, as being one of those who in the Revolution took part with Thrasybulus in restoring the Democracy. See Appendix, 'The Thirty.' For Phyle, see p. 231.

97-8. οὐ πονηροῦς . . ὑπόλογον 'I am far from saying that they are bad citizens, or that the exile of the party may not fairly be taken into account.' ὑπόλογον properly belongs to accounts, vi. l. 643. Demosth. 959, ἀξιούντες μηδὲν ὑπόλογον εἶναι εἰ ποτε κ.τ.λ. Cf. ὑπολογίζεσθαι de Cor. § 99.

101. οἴκους 'estates.' *Supra*, l. 19.

103. ἐπὶ τούτῳ 'for this very purpose.' The nominal purpose

of the appointment of the Thirty was to draw up a code of laws (οἱ τοὺς πατέρας νόμους συγγράψουσι Xen. Hell. 2, 3, 2). Diodorus says (14, 13), ἀρμόζοντες μὲν τῷ λόγῳ τύραννοι δὲ τοῖς πράγμασιν.

104. ποιήσαν. See on viii. l. 46.

106-7. ποιήσωσιν. See on v. l. 309; viii. l. 40. τὸ ἐπὶ 167 τοῦτοις εἶναι 'as far as they are concerned.' Goodwin, § 268.

111-15. ὅταν γὰρ ἡγησώμεθα 'for just when we have made up our minds.' See i. l. 28, on aor. subj. σωτηρίας ἀνταληφθεῖν 'that we have really laid hold on a means of security,' i.e. 'that we are really safe.' δυστυχήσασιν, i.e. 'if once unsuccessful.'

125-6. οὐδεμίαν . . ὑφήρηνται 'they will not thank you, but the money they have spent in bribes and the money which they have embezzled.' οἷς for & by attraction, see iv. l. 213. ὑφήρηνται with middle sense. See ii. l. 72.

128. ἐκείνοις sc. χρήμασι.

130-1. ἂν . . λάβητε 'if you shall have exacted' (i. l. 28).

ORATION XV. [30.]

[This speech is on the prosecution of one Nicomachus for not having given an account of his office (δίκη ἀλογίου). It is a public suit (γραφή), and as such the preliminary investigation had been before the Boulè (l. 57), which had sent the case to be tried before a court presided over by the Logistæ.

Nicomachus had in B.C. 411 been appointed one of the commissioners (νομοθέται) to draw up (ἀναγράφειν) a revised copy of the laws of Solon; the reason being partly the destruction of some of the tablets which always took place in a revolution,—partly the feeling that certain changes were necessary, though the speaker wishes to infer that any change was beyond the letter of the defendant's commission (l. 15). This commission is briefly alluded to in Thucyd. 8, 97, 2; and an inscription still exists of a decree ordering the law of Draco as to murder to be put up on the Stoa Basileios [Hicks's *Handbook of Greek Inscriptions*, p. 112]: this is dated B.C. 409 (the year of Diocles). The commissioners were to do their work in four months. But Nicomachus held his office for six years.

Again, in B.C. 403, a new commission of 500 Nomothetæ was

appointed for the same purpose after the Restoration [Andoc. Myst. 83-4], and Nicomachus was again one of them. He could have done his work, which this time seems to have been that part of the laws which referred to religious rites, in thirty days, but he took four years. At the end of that time, as he had given no account of his office, he is impeached by several persons, of whom the speaker is one.

The *logistæ* who presided at the trial were ten officers whose duties coincided closely with those of the Euthuni, and who were in intimate connection with them: see Andoc. Myst. § 78, *ὧν ἐσθυναί τινες εἰσι καταγνωσμένοι ἐν τοῖς λογιστηρίοις ὑπὸ τῶν εὐθύνων ἢ τῶν παρέδρων*. Boeckh, p. 189 sq.

The facts of the case are not denied, as far as the length of time occupied by the defendant is concerned; and evidence is only offered as to the manner in which he performed his task. The speech is partly taken up in enhancing the enormity of his offence; and partly in anticipating a recrimination on the part of Nicomachus to the effect that the speaker was one of the Four Hundred (which he denies); and that he had shown impiety in objecting to the increased expenditure on sacrifices (which he endeavours to disprove); and partly in enlarging on the servile origin of Nicomachus, whose father was a *δημόσιος*, 'a public slave,' though he was himself a citizen, having been enrolled probably in his maternal grandfather's *phratría*.

The date from l. 32 probably is 399-8 B.C., no allusion occurring to point to a later time.

To more fully understand the speech the student would do well to read attentively Mr. Grote's Sixty-Sixth Chapter; also Professor Jebb's Introduction and Analysis (*Attic Or.* vol. i. p. 224 sq.) Andocides, Myst. § 73-98, throws much light on the events of this time; and an interesting inscription, with instructive notes, bearing on our subject will be found in Mr. Hicks' *Greek Inscriptions*, p. 112.]

6. *ἐάν . . . πεποιηκότες* 'if they can show that they have done 169 any service to the State.' ii. l. 119.

8. *πάλοι πονηροὺς ὄντας* 'were base all the while.'

10. *δημόσιος* 'a public slave.' The *δημόσιοι* were purchased by the State to be employed as police, and in other subordinate State duties. [They are called also *ροξόται* and *Σκύθαι* because many of them came from Scythia, Aristoph. *Thesm.* 1002, 1116.] See Boeckh, p. 207. He begins with stating the servile origin of Nicomachus as the bitterest form of reproach, see vi. l. 449. *οἷα . . . ἐπεγέσθαι* 'what sort of life he led as a young man.'

11. καὶ ὅσα . . . εἰσέχθη 'and how old he was when he was enrolled in his phratia.' The citizens were divided in twelve φράτριαι, i. e. three for each of the four original tribes,—a number still kept up when the number of the tribes no longer corresponded. Every child born of parents who were citizens (or one parent, until Pericles, in B.C. 444, enforced the condition as to both) was enrolled probably in his first year [Isae. 8, 19. Andoc. Myst. 125 : but others put it at the third, Schol. in Plat. Tim. 21. W. R.] in the register of his father's or maternal grandfather's phratia. This process was described by the verb εἰσάγειν, Arist. Av. 1669, ἤδη σ' ὁ πατήρ εἰσήγαγ' ἐς τοὺς φράτορας. The point of this passage is the hint that he had not been enrolled at the usual early age, because his father, being a slave, could not get him enrolled. Thus Aristophanes, wishing to jeer at Archedemus as an alien, says of him, ὅς ἐπ' ἑτῆς ὧν οὐκ ἔφυσε φράτορας, 'though he is seven years old he has not got any phratores yet'—which the Schol. explains as a pun on φραστήρας 'wisdom teeth' (Ran. 417). The phratia might refuse to receive a name, on the ground of the child being νόθος, or not a true-born Athenian; but when once the name was registered, it could not be removed without an action at law. The law was made more strict again as to those born after B.C. 403, for both parents then had to be citizens. Grote, vol. viii. p. 110. Dem. 1307.

13. ἀναγραφεὺς 'copyist.' The title of these commissioners was νομοθέται, but the decree [in B.C. 403] describes them as ἀναγράφοι (νόμους) ἐν σανίδι. Andoc. de Myst. § 83. See also Hicks' *Greek Inscriptions*, p. 112, where they are called ἀναγραφῆς.

14-22. προσταχθέν κ.τ.λ. 'whereas he was ordered to copy out the laws within four months.' This refers to the first appointment of νομοθέται immediately after the deposition of the Four Hundred, briefly noticed by Thucydides, 8, 97, 2, νομοθέτας καὶ τὰλλα ἐψηφίσαντο εἰς τὴν πολιτείαν. προσταχθέν accus. abs. That such a law reform was set on foot immediately after both Revolutions was owing perhaps partly to some destructive decrees during the Revolutions; but it also seems to show that in both cases a general feeling existed that some changes were needed. ἐνέγραφε 'wrote on the στήλαι,' l. 39. ἐτεταμειύμεθα τοὺς νόμους 'we had the laws dealt out to us as though by a steward.' For construction of passive verbs with *descriptive* accusative, see Clyde, § 79. οἱ ἀντίδικοι 'the plaintiffs and defendants,' see ii. l. 89. ἐναντίους sc. νόμους. For παρέχοντο 'put in' or 'quoted on their side,' see xi. l. 44.

24. 'And though the Archons inflicted summary fines on him, and brought his case before the court, he would not hand

over the laws.' ἐπιβολὰς fines inflicted by a magistrate without the case being referred to a court, iii. l. 64. εἰσαγόντων the magistrate before whom the original investigation was held, if he thought there was a case for a jury, was said εἰσάγειν τὴν δίκην εἰς τὸ δικάστηριον, see ix. 28.

28. εὐθύνας iii. l. 61.

30-2. καὶ νῦν 'in the present case also,' i.e. in this second commission on which he was appointed in B.C. 403. κατεστήσατο 'made for himself.' τέτταρα ἔτη ἀνέγραψεν 'was ἀναγραφεὺς for four years.' The aorist is used because, though the copying was a continued action, the holding the office was a single one; so you would say ἐβασίλευσε τ. ε., not ἐβασίλευεν, if referring merely to the fact of a man having been king.

33. διωρισμένον ἐξ ὧν 'though it had been defined from what documents he was to copy.' Accus. abs. ἐξ ὧν refers to the κύρβεις, l. 133.

35-6. καὶ τοσαῦτα . . ἔδωκεν 'and though he had the management of so much, he was the only official who gave no account of his office.' ἀρξάντων used generally of all offices, see xiv. l. 72. 170

37. κατὰ πρυτανείαν λόγον ἀναφέρουσι. 'Give in an account of their office every Prytany,' i.e. about every month [see xi. l. 8]. A passage from Pollux (8, 87) is quoted by Bremi and others, to the effect that it was 'the duty of the Archons to ask whether every officer was carrying on his office well.' But it seems certain that the εἰθνεῖναι was only at the end of an office, within thirty days (Harpocrat. s. v. λογισταί). The explanation may be this: the speaker regards Nicomachus as one of the inferior officers, some of whom (e.g. the γραμματεῖς) changed each month with the Prytaneis. He may mean, 'Other underlings have to give in their accounts every month; you take greater privileges even than an Archon, who has to give his accounts at the end of his year.'

39. ἐγγράψαι sc. λόγον 'to enter his account'; or, as in l. 19, it may mean to write the laws on the στήλαι.

44-5. νομίζεις . . ὧν 'you think the property of the State yours, while all the time you are the property of the State yourself' (l. 10). Nicomachus was not really δημόσιος, as he had been entered on the register of the Phratores, and was therefore a citizen (l. 11). It is a rhetorical flourish reflecting on his birth.

47. προγόνων. See on vi. l. 124.

49. ἐνὸς ἐκάστου 'each separate offence,' viz. the two occasions on which he has failed to do his work in time; his not presenting any accounts; and his several alterations of the laws beyond his instructions.

55-6. ὅποτε . . μὴ δύνωμαι 'when (and only when) I fail,' 171 etc.

57. ἄπερ ἐν τῇ βουλῇ. The ἀνάκρισις had been before the Boulè, as the charge was on public affairs (γραφῇ). xi. l. 20.

58-64. τῶν τετρακοσίων . . πεντακισχιλίων. See. v. l. 295.

65-70. 'And it appears to me to be a strange thing that if I had in a private suit thus plainly convicted him, he would not even himself have expected to get off on such a defence; yet in a suit affecting the State he shall think to escape by accusing me.'

75-9. τοιούτων . . οἷτινες . . φασιν 'against such men as are capable of saying.' For τοιούτων with relative, see Index. For οἷτινες, see i. l. 30.

78. ἀπολομένων τῶν νεῶν, i.e. at Ægospotami, see vi. l. 33. ἐπράττετο 'was being brought about.'

79. Κλεοφῶν see on vi. l. 55. συνεστάναι 'that it was conspiring,' i.e. with the Oligarchical party; see vi. l. 135, on the character of the then Boulè.

81. Κηφισιεύς 'of the deme Cephisia,' a deme of the tribe 172 Eretheis. βουλευὼν 'being then a member of the Boulè.'

82. δικαστηρίῳ we learn from vi. § 12, that the charge trumped up against Cleophon was some trifling breach of military discipline.

85. Νικομαχίδην Why he should be called Νικομαχίδης here, and Νικόμαχος in l. 97, there seems no certain reason producible. Perhaps the use of the patronymic may be either a more formal way of speaking of a man engaged in high functions, [a curious instance of which is in the decree accepting the Peace of Nicias (Thucyd. 4, 118) Νικιάδης ἐπεσάττει, or it may be used sarcastically 'this son of Nicomachus' (a slave). Rauchenstein compares the use of Εὐβουλίδης for Εὐβουλος. See x. l. 189. Harpocration quotes the speech as κατὰ Νικομαχίδου apparently; see Appendix IV., where also Φιλωνίδης seems to stand for Φίλων.

86-7. συνδικάζειν 'to be assessors,' i.e. to sit in the court with the dicasts, and vote with them. As the Boulè was just then almost entirely oligarchical (vi. l. 135), this meant certain condemnation for Cleophon. συνεσταςάσαν 'joined this revolutionary plot.'

93. Σάτυρος καὶ Χρέμων οἱ τῶν τριάκοντα γινόμενοι 'Satyrus and Chremon, who were members of the Thirty.' Chremon's name appears in the list of the Thirty given by Xenophon [Hell. 2, 3, 1, 2], but not Satyrus; he was, however, one of the Eleven who acted under the Thirty (τοῦ θρασυτάτου αὐτῶν καὶ ἀναιδεστάτου. Xen. Hell. 2, 3, 54).

103. κατὰ στάσιν 'on purely party grounds.' Xenophon, in the only place in which he mentions Cleophon, uses this word (Hell. 1, 7, 40), ὅστερον δὲ στάσεως τινος γενομένης ἐν ᾧ Κλεοφῶν ἀπέθανε κ.τ.λ.

104. ἐὰν . . πρὸς ταῦτα ἀπολογῆται. 'If he shall defend himself on these grounds.'

106. ἐν ᾧ 'in virtue of which' or 'under cover of which,' because the law enabled the Boulè to get rid, under legal forms, of the leaders of the Democratic party.

108. ταύτην τὴν βουλὴν 'the then existing Boulè.' See on 173 xi. l. 66.

110. Στρομβιχίδης resisted the hard terms of surrender brought from Sparta by Theramenes (vi. l. 85). He apparently was got rid of by means of Agoratus' informations (vi. § 17-19). Καλλιᾶδης we do not find mentioned elsewhere, but he doubtless fell in the same way as Strombichides.

116-21. The change of construction to the participle χρῆσόμενον depending on ἡσθανόμεν from the fut. infin. πειράσσεσθαι is awkward. But if with Francken we left καὶ out, χρήσομενον must surely become χρώμενον. ὅτι ἔφυγεν 'that he was an exile,' i.e. under the Thirty. τοὺς μὲν ἀποθανόντας for example Theramenes. οὐ μετασχόντας τῆς πολιτείας. Only 3000 besides the Thirty were even professedly possessed of πολιτεία. ὥστε . . γενέσθαι 'so that he can have no credit for this.' ὑπόλογον is here a substantive, not adj. as in xiv. l. 98. Demosth. (?) 799, εἰ μηδὲνα τούτων ὑπόλογον ποιεῖται 'if he takes no account of these.'

122. συνεβάλετο 'contributed.' Demosth. de Cor. 1122, τῷ πώποτε εἰσήμεγκας ἢ τίνι συμβέβλησαι πω; cf. xvi. l. 207. αὐτῶν = ὑμῶν αὐτῶν. Cf. v. l. 227.

128. εἰ μὲν νόμους ἐτίθην 'if I had a hand in making the law' (l. 238).

129. τῆς ἀναγραφῆς 'the copying of the laws,' for which 174 Nicomachus had been appointed a commissioner.

130. τοῖς κοινοῖς καὶ καμένοις sc. νόμοις. The argument seems to be:—He might have had some excuse for accusing me

of innovation if I had had anything to do with his copying commission; but as a matter of fact (νῦν δὲ) I only ask him to submit to established laws,—which are κοινά, i.e. open to every one,—whereas his new laws are his own creations, and not universally known even.

133-4. τὰς ἐκ τῶν κύρβων καὶ τῶν στηλῶν 'those ordered in the tablets and pillars.' See on iv. l. 103. In the second revising commission of 403 B.C., Nicomachus had to deal especially with the laws concerning religion. See l. 25. R. C. Jebb. *Att. Or.* i. p. 225, note 3. κατὰ τὰς συγγραφάς 'according to the summaries thereof,' i.e. of the κύρβεις and στηλαί. The disputed meaning of the συγγραφαί (which Rauchenstein in his earlier editions supposed to indicate 'contracts' for the supply of beasts for sacrifice) has been illustrated, if not set at rest, by an Eleusinian inscription of the age of Pericles, discovered in 1880. See Adolf Schmidt in the *Neues Jahrbuch für Classische Philologie* 1885, p. 686. The συγγραφαί appear to be a 'codification' or 'consolidation' of the directions inscribed on the κύρβεις and στηλαί, drawn up perhaps under the direction of Pericles, and containing minute directions as to the nature and extent of the objects to be offered in the public sacrifices. The inscription contains among other things a decree proposed by Lampon,—τὰ μὲν ἄλλα καθάπερ αἱ συγγραφαὶ τῆς ἀπαρχῆς τοῦ καρποῦ τοῖν θεοῖν τὰς δὲ συγγραφὰς καὶ τὸ ψήφισμα τόδε ἀναγραφέτω ὁ γραμματεὺς ὁ τῆς βουλῆς ἐν στήλαιν δυοῖν λιθίνειν 'and let the secretary of the Boulè engrave both the schedules and the decree on two stone tablets.'

137-8. οἱ τὰ . . ἔθουσιν 'who performed the sacrifices ordered by the tablets, and them only,' i.e. those who lived before your revision.

149. δαπανᾶν 'to pay for.' Cf. *Andoc. contra Alcib.* § 42, τὰ προσταττόμενα δαπανῶ . . ἀπὸ τῶν ἰδίων.

151. ἀναγράφας . . προσταχθέντων 'for having in your "copy" of the laws entered a larger number of sacrifices than were ordered before.'

154-6. αὐτίκα 'for example.' See x. l. 298. πέρυσιν . . γεγραμμένων 'last year there were sacrifices omitted to the value of three talents of those entered on the tablets as due.' τριῶν τάλαντων gen. of price or value.

158. πλείω . . ἕξ τάλαντοις 'more by six talents.' His allegation seems to be that the sacrifices, according to the new

'Revision,' amounted to nine talents, whereas the part of those ordered by the unrevised tablets, which he had omitted, would have cost only three. As it was, these immemorial rites were omitted, and a loss inflicted on the State at the same time. The speaker had proposed to revert to the unrevised tablets, which proposal Nicomachus had made a ground of accusation against him, as though he detracted from religious ordinances.

160. *ἂν περιεγένετο* 'there would have been a balance of 175 three talents in favour of the State.' He spent six talents too much on these new sacrifices. If he had saved that sum he might have completed *τὰ πάτρια*, and had a balance of three talents. Boeckh, p. 212. Grote, ch. 66.

163. *τὰς συγγραφάς*, l. 184.

166-68. *οὗτος ὁ ιεροσύλος* 'this sacrilegious fellow.' *ὡς εὐσέβειαν* . . *ἀνέγραψε* 'that the principle of his revision was piety, not cheapness.' *καὶ εἰ* . . *κελεύει* 'and if you do not like them he bids you have them obliterated.' For the control to be exercised over this revision, see Grote, vol. viii. p. 98. Andoc. Myst. 8, 5. They had to be approved by the *Boulè* and the 500 *Nomothetæ*, and every private citizen was to have the power of entering the *Boulè* and giving his opinion for or against them.

174-7. *Λακεδαιμονίους* . . *χρήματα*. The money which the Lacedæmonians were demanding was the loan of 100 talents made to the Thirty by the influence of Lysander. See v. l. 405. Xen. Hell. 2, 4, 28. Grote, vol. viii. p. 106. Demosth. Lept. 460. *Βοιωτοὺς* . . *ἀποδοῦναι* 'and the Bœotians making reprisals upon us because we could not pay them two talents.' Observe that 'Bœotians' are spoken of, not 'Thebans,' because Thebes was now supreme in united Bœotia, and until the peace of Antalcidas (B.C. 387). See Hicks' *Manual of Greek Inscriptions*, p. 123. The debt to the 'Bœotians' was probably for money advanced to Thrasybulus. *σῦλαι* or *σῦλα* is the 'right of seizing goods.'

178. *ἡ βουλὴ ἡ βουλευούσα* 'the *Boulè* for the time being.' 176 Cf. xi. 19, vi. 137.

180-4. See on xi. l. 66. *τοῖς βουλευούσιν ἐκάστοτε* 'those who happen at any particular occasion to be members of the *Boulè*.'

186-8. *προσέχουσι . . αγωνιῆται* 'all who wish to plunder the State are anxious to see how Nicomachus will fare on his trial.'

190-2. *τιμήσητε* sc. *δίκην* 'assess,' followed by genitive of the amount of punishment assessed; here death, *τῶν ἐσχάτων*, cf. vi. l. 418. See note in Grote, vol. iv. p. 292. *ἐληφότες ἔσεσθε*. Goodwin, § 118, 3, 'you will have taken.' Cf. on ii. l. 138.

199-200. *τῶν ὁσίων καὶ τῶν ἱερῶν* see on l. 133 for the two commissions referred to; though we must remember that it was only Nicomachus' duty that was confined to the religious laws. *τὰ ὅσια* that which relates to the ordinary duties of life. *τὰ ἱερὰ* that which relates to religious observances.

201-2. *πολλοὺς ἤδη . . ἀπεκτείνετε*. The frequency of conviction for peculation among public men at Athens has been commented on by Boeckh, p. 194 sq., who quotes Polybius (vi. 56), 'but if in Greece the State entrusts to any one only a talent, and if it has ten checking clerks, and as many seals and twice as many witnesses, it cannot ensure his honesty.' See Wayte on Dem. 608.

204. *ἐν τῷ παρόντι* 'for the time being.' *ἐν* with dat. of time, see x. ll. 398, 412.

205. *τῶν ἱερῶν δῶρα λαμβάνοντες* 'making gain of the sacred 177 moneys.' Seems to refer to the daily pay that he was receiving, l. 18.

210-11. *ἀλλὰ ὅτε ὑμεῖς ἐκινδυνεύετε* that is, in the period from 411 to 404, in which there were battles fought at Cynossema (411), Cyzicus (410), Notium (407), Arginusae (406), Ægospotami (405). *αὐτοῦ* sc. at home at Athens.

214. *ἐπέδωκεν* 'gave voluntarily.'

215-19. *τοὺς προγόνους* l. 47. *πεπραῖσθαι* 'to be sold in the slave market.'

222-3. *ἀντὶ μὲν δούλου κ.τ.λ.* This was when he had late in life been entered on a phratry, l. 11. *ὑπογραμματεύς* 'under clerk,' the superior being *γραμματεὺς*. Nicomachus had held this subordinate position *before* he was made a commissioner (*νομοθέτης*). For a discussion of such officials, see Boeckh, p. 186 sq.

227-8. *οἷοί περ . . τιθέντες* 'exactly in harmony with the 178 character of those who made them.' *τιθέντες* l. 128. *Τισα-*

μενόν Tisamenus was the author of the Psephisma quoted before as establishing this commission in B.C. 403. Andoc. de Myst. 83.

231. **διαφθείρεσθαι** 'are degraded.'

233. **δὲς τὸν αὐτὸν τῇ ἀρχῇ τῇ αὐτῇ** 'the same man may not be under-clerk twice in the same year' (the same archonship). The clerk of the Prytanes seems to have changed with each Prytany. Demosth. Tim. 720, where in a law we have **ὑπὸ τοῦ γραμματέως τοῦ κατὰ πρυτανείαν**.

235. **κυρίους** 'competent to hold office.' Cf. iii. l. 66.

237. **κατὰ πατέρα** 'on his father's side,' who was a public slave, l. 10.

238-9. **ὑπὲρ τοῦ δήμου** 'in behalf of the people.' **συγκαταλύσας φαίνεται** 'notoriously helped to put down the Democracy.' See on ii. l. 119.

245. **ἐξαιτησομένων** 'intend to beg him off.'

251. **προαιρεσθαι** 'to choose deliberately,' 'to go out of their 179 way to save.'

258-61. **σώζοντας** 'trying to save.' **τιμωρεσθαι** sc. **προθύμος**. **ὅτι τοῦτοις πρώτοις . . εἶναι** 'that they (i.e. Nicomachus' friends) will be the first people to think better of you.'

269. **καταπειράσοντας** 'intending to tamper with and alter,' i.e. by bribes.

272-4. **ἡμεῖς μὲν . . πεισθῆναι** 'now we for our part, though entreated, refused to be bribed by them.' This seems the only sense to be got out of **ἀξιούμενοι**, but it is not satisfactory, nor can instances of this passive be found, I think. **πεισθῆναι** to be bribed. Cf. vi. ll. 364, 426.

274-7. **τὸ δὲ . . ἀφανίζοντας** 'and we call on you to do the same, and not to confine yourselves to hating disloyalty before it is brought to trial, but in the trial itself to punish those who dishonour and degrade your legislation.' For Nicomachus was **νομοθέτης**, and as such degraded the office. **ἀφανίζοντας** as **διαφθείρεσθαι** in l. 231. **ἐννόμως** 'in accordance with the spirit of the law.'

ORATION XVI. [32.]

[This speech, which Cobet (*Variae Lect.* p. 68) calls *extimia oratio*, is unfortunately incomplete. Such as it is, it is preserved for us by Dionysius of Halicarnassus, who prefixed to it the following hypothesis :—

Diodotus, one of those who were enrolled for service under Thrasybulus in the Peloponnesian War, being about to sail to Asia, in the archonship of Glaukippus [B.C. 410-9], and having infant children, made a will, wherein he appointed as their guardian his own brother, Diogeiton, who was moreover both uncle and maternal grandfather of the infants.

Now, he himself fell in battle at Ephesus ; whereupon Diogeiton, having taken the management of all the property of the orphans, and having from a very large sum of money produced nothing, is accused by one of the youths when he came of age of maladministration of his guardianship.

The actual prosecutor in the suit against him is the husband of the woman, who is the defendant's niece and the sister of the young men.

The title of such a suit was *δική ἐκτροπῆς* or *μισθώσεως οἴκου* (see l. 195). The date of it may be closely approximated to. Diodotus was killed at Ephesus probably in B.C. 408 (l. 54). The guardianship lasted eight years (l. 65). The trial probably came on within a year of its close, i.e. 400-399 B.C.

There is some little difficulty as to the accounts presented in the speech, but the general charge is that Diogeiton received a large sum of money in trust for the children and the widow ; that he defrauded the widow out of part of the money assigned to her ; and at the coming of age of the elder boy—*first*, declared that the father had left nothing but the insignificant sum which he gave his wife for immediate expenses ; *next*, when pressed, owned to a larger sum (though smaller than what was the truth), but showed by a debtor and creditor account that he had spent more upon the children than he had received ; *thirdly*, that he had not taken proper measures for making the best of the estate ; *lastly*, that his accounts were ill kept, 'cooked,' and containing extravagant charges.

The two accounts of Diodotus' property,—the speaker's and the defendant's,—are these :¹—

¹ Professor Jebb (*Attic Orators*, vol. i. p. 298) reckons it at 15 talents 20 minæ, which must be arrived at in this way :—

Deposit	5 talents	0 minæ
Loans on Bottomry	7 "	40 "
Money in Chersonese	0 "	20 "
30 Cyzikene staters at 20 drachmæ	0 "	6 "
20 minæ (left with wife)	0 "	20 "
Two dowries of 1 talent	2 "	0 "

15 talents 26 minæ.

(1) § 5, 6—

Deposit in Cash	5 talents	0 minæ
Loans on Bottomry	7 „	40 „
Money in the Chersonese (apparently in corn trade, l. 119)	0 „	20 „
	<hr/> 13 talents 0 minæ <hr/>	

Besides this he left in his wife's hands 30 Cyzikene staters (= 8 minæ 40 drachmæ) and 20 minæ of ready money (Attic), which she, however, handed over to her father (l. 124).

(2) The second is the account as at length acknowledged
by Diogeiton, § 15.

Lent on Bottomry	7 talents	40 minæ
Mortgage	1 „	40 „
Other Receipts	0 „	20 „
	<hr/> 9 talents 40 minæ <hr/>	

From this would have to be deducted the two dowries of a talent each, leaving 7 talents 40 minæ to be accounted for. Diogeiton declared, § 20, that he had spent on the children 8 talents 10 minæ, and that therefore he was out of pocket 30 minæ. The speaker, therefore, to prove the absurdity of this, proceeds,—admitting the amount of receipts as 7 talents 40 minæ,—to analyse his accounts of expenses, and is just about to give what he thinks would be a fair account, when the fragment comes to an end.]

But this calculation assumes that the two dowries were provided for separately from the money calculated in §§ 5-6; whereas it seems, from the comparison of § 15 with § 29, that this was not so. For in the latter passage he accepts Diogeiton's account, as found in the mislaid account-book, viz. receipt of 9 talents 40 minæ (§ 15), and reckons him as being responsible for 7 talents 40 minæ (§ 29),—that is to say, the amount given in the account-book minus the two dowries.

And in the next place Professor Jebb's account reckons the *Cyzikene stater* at 20 drachmæ, which was the value of the Attic stater; the *Cyzikene stater* seems to have been equal to 28 Attic drachmæ. Demosth. 914.

And thirdly, the 20 minæ and 30 Cyzikene staters were apparently not taken into account in any of the reckonings. They were for immediate expenses, and were doubtless spent, but handed over to Diogeiton unconditionally (*ἀπερ ἐγὼ σοι ἔδωκα*, l. 124). We must observe that the payment of the dowries is not disputed, though the widow, he says, was not paid in full. The daughter no doubt was, or the speaker, who is her husband, would have mentioned it.

1-2. τὰ διαφέροντα 'the points in dispute.' τούτους the 180 two sons of Diodotus, for whom the speaker is pleading.

9. πεπονθότες sc. εἰσι. Cf. xv. l. 192. Goodwin, § 118, 4. *Infra*, 143.

10. κηδεστήν 'brother-in-law.' See vi. l. 10.

14. δαίταν 'an arbitration' by a private δαιτητής, against whose decision there would be no appeal, as there was from that of a public δαιτητής. See iv. l. 36.

18-19. ἐβουλήθη καὶ . . ὑπομέναι 'and was determined both 181 to stand lawsuits, and even bring them if they were not brought against him.' δίκην φεύγειν . . διώκειν 'to be defendant' . . 'to be prosecutor.'

21. ἀπηλλάχθαι τῶν πρὸς τούτους ἐγκλημάτων 'to get rid of the charges they had against him.' For meaning and construction, see iv. l. 154; viii. l. 78.

25. βοηθεῖν αὐτοῖς τὰ δίκαια. See on i. l. 7.

27. ἐξ ἀρχῆς. Cf. ix. l. 11.

31-2. ἀφανῆ . . φανεῖς 'personal' . . 'real property.' ἀφανὴς οὐσία included everything but land, χρεῖα, σκεύη, χρήματα κ.τ.λ. Dem. 966. ἐνέμναντο 'they divided between them.' See on x. l. 298. ἐκοινώνουν 'they went partners in.'

32-3. ἐργασαμένου . . χρήματα 'now when Diodotus had made much money by investing in bottomry.' Cf. Dem. 1293, ἐργασμένοι πολλὰ χρήματα παρὰ τὴν σιτηγίαν. *Ibid.* 922, αἱ ἐμπορίαι τοῖς ἐργαζομένοις (investors) οὐκ ἀπὸ τῶν δανειζομένων ἀλλ' ἀπὸ τῶν δανειζόντων εἰσι. Cf. l. 44.

36. καταλεγείς 'having his name put on the list for military 182 service.' See iii. l. 18. μετὰ Θρασύλου Thrasyulus was a Strategus in B.C. 410. Xenoph. Hell. 1, 1, 8. And this is the year, according to the *hypothesis* of Dionysius, in which Diodotus went on service (in the archonship of Glaukippus).

39. κηδεστήν 'father-in-law.' See x. l. 50.

41. ἀνάγκας 'ties.' Al. ἀναγκαϊότητας οἰκειότητας.

43-7. ναυτικά 'on Bottomry.' The property thus reckoned is as follows :—

Deposited in Cash (παρακαταθήκη)	.	5 talents	0 minæ
Loans on Bottomry	. . .	7 „	40 „
Invested in Chersonese	. . .	0 „	20 „
<hr/>			
13 talents 0 minæ			
<hr/>			

Besides this he left with his wife

30 Cyzikene staters (at 28 Attic drachmæ per stater)=	.	.	8 minæ	40 drachmæ
And in cash (Attic)	.	.	20 „	0 „
<hr/>				
28 minæ 40 drachmæ				
<hr/>				

46. ἐν Χερρονήσῳ, *i.e.* the Crimea. The money was lent apparently on corn, l. 119.

47. εἰν τι πάθῃ 'if anything should happen to him,' *i.e.* if he were killed. See x. l. 335.

48. ἐπιδόσθαι, *i.e.* as dowry on remarriage. See viii. l. 74. *Infra*, l. 64.

52. ἀντίγραφα 'schedules' of the property.

54. ἐν Ἐφέσῳ in B.C. 408 Thrasyllus sustained a defeat at 183 Ephesus, with a loss of 300 men. Xen. 1, 2, 7-9. See also Jebb, *Att. Or.* vol. i. p. 297, note 5.

55. τὴν . . θυγατέρα ἔκρυπτε 'concealed from his daughter.'

57-8. φάσκων 'pretending.' See on iv. l. 56. κομίσασθαι 'to get in.'

60. ἐποίησαν τὰ νομιζόμενα 'when they had performed the customary rites.' These would consist of the nine days' funeral observances, beginning with a funeral feast (παράδειπνον), and concluding with the ἐνاتا. See Becker's *Charicles*, pp. 397-8.

63. εἰς ἄστυ into Athens proper, the upper city as opposed to Peiræus (v. l. 376).

64. ἐπιδόσθαι *supra*, l. 48. ἐκδίδωσιν 'gives in marriage' (viii. l. 74). πεντακισχίλιας δραχμαῖς, *i.e.* fifty minæ, whereas a talent (the sum left for the purpose, l. 47) is sixty minæ.

65. χιλίαις sc. δραχμαῖς.

66. δοκιμασθέντος, see iv. l. 209.

69. εἰκοσι μνᾶς κ.τ.λ. that is to say, he only acknowledges the money left behind by Diodotus for the use of his wife. l. 50.

78. ἐκπεπτωκότες 'turned out of doors.'

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88. ἐν ἀνδράσι 'in the company of men.'

92. λόγους . . ἐποιούμην 'I went into the matter.

96-7. ἡ γυνή *i.e.* the widow of Diodotus. τίνα ποτὲ ψυχὴν κ.τ.λ. 'what sort of heart he had to show such dispositions to her children.' Or 'how he had the cruelty to,' etc. iv. l. 194. ἀξιοί optative in oblique question. Goodwin, § 243.

100. καὶ εἰ . . ἥσχύονυ 'even though you had no feeling of shame before man.

102. πέντε τάλαντα l. 44.

104. παραστησαμένη *i.e.* swearing by them. See the oath in Aristoph. Ran. 587, πρόρριζος αὐτὸς, ἡ γυνή, τὰ παῖδια | κάκιστ' ἀπολοιμην. Demosth. 642, διομείται κατ' ἐξωλείας αὐτοῦ καὶ τοῦ γένους καὶ τῆς οἰκίας. Id. 900, τοὺς παῖδας παραστησάμενοι ἐξαιτοῦνται ὑμᾶς.

105-6. τοὺς ὕστερον *i.e.* by her second marriage. ὅπου . . 185 λέγῃς 'when and whenever you may bid me,' *i.e.* in any temple or at any altar you please.'

108-9. ἐπιορκήσασα . . καταλιπεῖν 'to quit my life with a lie upon my lips, sworn upon my own children.' κατὰ τινος ὀμόσαι 'to swear upon a person,' *i.e.* to imprecate penalties against them if the oath be false.

112-15. τὰ γράμματα 'the account-book.' τῇ διοίκει 'the move,' the change of houses mentioned in l. 63. Of the names of the house-owners we have no information. τοὺς παῖδας Reiske says, *seruos*. It might mean the 'young boys,' who would be likely to take it to their mother; the slaves would have taken it to their master. ἐκβεβλημένῳ 'thrown on one side.'

116-19. ἀπέφηνε *sc.* τὰ γράμματα or τὸ βιβλίον. 'It showed that he had received 100 minæ that had been lent at interest on land mortgages, and 2000 drachmæ besides, and valuable furniture, and that corn came to them every year from the Chersonese

(l. 46). The account thus made up from the mislaid account-book will stand thus :—

Bottomry	7 talents 40 minæ
Mortgage	1 „ 40 „
Other payments . .	0 „ 20 „
	<hr/>
	9 talents 40 minæ.

To this must be added the two dowries, which Diogeiton had apparently paid: the daughters, 1 talent (if this had been curtailed the speaker would have mentioned it, as the girl was his wife); the widow's, 50 minæ, which brings up the amount thus accounted for to 11 talents 30 minæ, still below the original amount, l. 43.

117. ἐγγέλ . . τόκῳ 'on land.' Cf. Dem. 914, στατήρας . . δανεισάμενος ἐγγείων τόκων, where the interest is said to be ἔφεκτος, 16½ p.c.

121. δισχιλίας κ.τ.λ. l. 49.

123-4. ἀπερ ἐμοί κ.τ.λ. She does not demand an account of this money, which she had apparently handed over to her father for immediate expenses.

125. θυγατρίδους 'your own daughter's sons.'

129. τῶν παρακαταθηκῶν. See l. 44.

135-7. οὔτε τοὺς θεοὺς . . αἰσχύνῃ. Cf. l. 101; v. l. 62. 186 αἰσχύνομαι τινα 'I am ashamed to do a thing before some one.' Cf. Eur. Ion. 938, αἰσχύνομαι μὲν σ', ὦ γέρον, λέξω δ' ὅμως. τὴν συνειδυῖαν 'who was in the secret of your baseness.' See on ii. l. 113.

143. ἦσαν πεπονθότες. See on l. 9.

152. τῷ λογισμῷ 'to the calculation I am going to make.' 187

155. ἀπασι τοῖς πολίταις 'at the hands of all the citizens.' Cf. xi. l. 61.

159. ὅς ἐτόλμησε *qui potuerit*, 'seeing that he has had the hardihood.' For ἐτόλμησε, see xiii. ll. 51, 68. For ὅς, see on i. l. 30, ii. l. 98, and Index.

161-2. λήμμα καὶ ἀνάλωμα 'receipts and expenses,' 'a debtor and creditor account.' ἐν ὀκτῷ κ.τ.λ. 'to show in his accounts an expenditure of 7 talents 40 minæ in eight years upon two boys and their sister.' This 'debtor and creditor' account-

book is not the document referred to in l. 112 apparently, but some accounts of his guardianship which Diogeiton had produced under pressure.

165-71. *ἄποι τρέφει τὰ χρήματα* i.e. 'how to account for the money expended.' He finds fault not only with the amount, but with the way the account is kept. For instance, he charges 5 obols a day for food (i.e. about 8d.); but for other necessities, such as shoes, dyeing of clothes, haircutting, he made no charge by the month or by the year, but entered at the end of the eight years a lump sum of over a talent. *ἄφρον* properly is anything such as meat, fish, or sauce eaten with bread. It seems here to be used generally for 'provisions.' Tenpence a day does not seem much for three children, but it was above the average of the cost of living at Athens, see Boeckh, p. 109. We must remember that an *obol* a day was considered sufficient for the support of a cripple. xiii. l. 198. And the people of Troezen in 480 B.C. voted 2 obols a day to the Athenian refugees. Plutarch Them. x. 3.

171. *εἰς ὃ κ.τ.λ.* And 'though he did not spend twenty-five minæ out of the fifty charged for their father's tomb, he charged half this sum to himself and half to them.' What he did was this: by way of paying nothing himself he said that the tomb cost 50 minæ, of which he would pay half, the children's estate half. But as it really only cost twenty-five, the children's half covered the whole, and he paid nothing. For these tombs (in this case a cenotaph) outside the walls, see Becker's *Charicles*, p. 393 sq. There were laws to regulate the expense of these tombs, but one is mentioned in Demosth. 1125 as costing more than two talents.

174. *εἰς Διονύσια τολύν κ.τ.λ.* The estates of orphans were free from State burdens, except the *εἰσφορά* (Hermann, § 162), but the offerings at the various festivals were made in their behalf.

176. *ἑκαδὲκα κ.τ.λ.* 'he entered a lamb as costing sixteen drachmæ.' Such a lamb is estimated by Menander (quoted by Boeckh. p. 76), as worth ten drachmæ. Diogeiton, the speaker insinuates, had played the same trick as in the case of the tomb. He pretended to go halves in the purchase, whereas the lamb had probably only cost eight drachmæ.

178. *οὐχ ἥκιστα* 'more than anything.' Cf. x. l. 245. 128

187. *γράμματα* 'bare accounts,' i.e. without any money paid up.

188-90. *ἀποδείξει . . ἐπιλάβονται* for the change of mood, cf. viii. l. 40.

193-5. **ἔξην αὐτῷ . . μισθῶσαι τὸν οἶκον** 'he might have farmed out the estate.' See xiv. l. 19, 101; x. l. 304. Cf. Isæus. 59, 43, **μισθοῦν ἐκέλευον τὸν ἀρχοντα τοὺς οἴκους, ὡς ὀρφανῶν ὄντων.** The speaker says two courses were open to Diogeiton—(1) to get rid of all trouble by giving over the property to some one else at a fixed price, to be paid for the benefit of the orphans yearly, or (2) to have invested in land and used the rents (**τὰ προσιόντα**) for their benefit.

200-1. **οὐδεπώποτε . . οὐσίαν** 'never once to have taken any 189 thought of how he might secure their money on real property for them.' See l. 31.

202. **κληρονόμον** 'heir.' Cf. a similar use of **ἐπικληρος**, xiii. l. 106.

205-7. **συντριηραρχῶν** 'going partners in a trierarchy with Alexis' brother, Aristodicus.' **φάσκων**, iv. l. 56: *supra*, l. 57. **συμβαλίσθαι** 'contributed,' xv. l. 122.

207-9. Orphans, for the first year of their majority, were exempt from all liturgies. Hermann, § 162. **καὶ ἐπειδὴν δοκιμασθῶσιν** 'even when they have come of age.' See iv. l. 209.

213. **πράττεται** 'exacts.' **καὶ ἀποπέμψας κ.τ.λ.** A breach of law as well as of equity was involved in this. For (1) a guardian could not invest his ward's money in bottomry [Suidas, s. v. **ἐγγειον**, quotes Lysias (from some lost speech), **τοῦ νόμου κελεύοντος τοὺς ἐπιτρόπους τοῖς ὀρφανοῖς ἐγγειον τὴν οὐσίαν καθιστάναι, οὗτος δὲ ναυτικούς ἡμᾶς ἀποφαίνει**]; and (2) it was unfair to make the estate run the risk, and then to take the bargain himself when the risk was over. Boeckh, p. 134.

214. **εἰς τὸν Ἀδρίαν** to the coast of Illyria probably. **ἀλκάδα** 'a corn ship.' **δυοῖν τάλαντοιν** 'with a cargo worth two talents.'

217. **ἔδιπλασίασεν** 'had doubled itself.'

218. **καίτοι εἰ . . ἀποδείξει** 'And yet if he puts down against *them* the losses, and keeps all that is saved himself.'

219-22. **δοιοὶ μὲν . . πλουτήσῃ.** 'He will find no difficulty 190 in entering in the ledger on what the money has been spent; but will himself easily be enriched from money not his own.' He means 'This is a delightful way of keeping accounts! All the losses are put down to his wards—all the gain to himself.' For **δοιοὶ**, cf. l. 165.

224. **μόλις . . γράμματα.** 'I got the accounts from him with difficulty.'

227. ὁ λόγος . . . τριηραρχίας 'the account of the trierarchy.'
 ἔφασκεν εἶναι 'said yes, he had.' Cf. v. l. 59.

229. τέτταρας καὶ εἴκοσι whereas he professed to have contributed forty-eight minæ (l. 206), the whole expense of the trierarchy. By this trick the whole of his contribution was really paid by the orphan's estate, just as in the other cases (ll. 169, 176). συμβεβλημένον l. 207. Perf. pass. as middle, see ii. l. 72.

232. λελογίσθαι perf. pass. for middle again, as in l. 229.

236. ἐτόλμησε l. 159.

241. ὅσα τελευτῶν ἀμολόγησεν 'the amount which he did 191 eventually acknowledge to.' He says he will accept the accounts as found in the mislaid account-book (though it is not a full or fair one). The amount there accounted for (ll. 116-119) was 9 talents 40 minæ. Deducting the two talents for the dowries (and that is not noticing the 10 minæ short, l. 65), the amount to be accounted for as spent on the children is 7 talents 40 minæ.

243-5. πρόσοδον 'income' arising from the investment of the money.' ὑπαρχόντων 'capital.' θήσω 'I will put down' or 'reckon.'

245. The calculation he now makes is as follows:—

Expenses of two boys and their paedagogus, one girl and her maid for eight years, at 1000 drachmæ per annum .

8000 drachmæ

which equals 1 talent 20 minæ.

And this sum, deducted from 7 talents 40 minæ, leaves a balance of 6 talents and 20 minæ unaccounted for.

The calculation is a rough one, for, to be accurate, 3 drachmæ a day for eight years is 8760 drachmæ, or 1 talent 27 minæ 60 drachmæ.

That 1000 drachmæ (about £40) should be spoken of as an excessive allowance per annum for two boys, a girl, and two servants, seems astonishing. But see on l. 165, and Boeckh, pp. 113, 114.

251. οὐ γὰρ κ.τ.λ. 'For you will not be able to show that you have lost by pirates (i.e. in the bottomry loans), or in business, or that you have paid debts for the deceased. ζημίαν l. 218.

APPENDICES.

I.

'THE THIRTY.'

THE disaster sustained by the Athenian fleet at Ægospotami was at once recognised at Athens as extinguishing all hope of further maintaining against June-July, 405¹ B.C. Sparta her power in the Ægean and Asia. The city itself, it was at once felt, must prepare to sustain a siege. The *Paralus*, which was among the few ships that escaped, hastened to carry the tidings home. It arrived in the Peiræus after nightfall. A cry of anguish was raised when the tale was told. The cry was caught up, and passed along from mouth to mouth by those who lived along the road between the long walls, and quickly reached the city. 'That night no one slept.' Preparations for a siege were hurriedly made. The harbours were blocked, the walls repaired, the guards stationed at their posts.² And then followed a period of terrified expectation. What would be their fate? Would it be like that which they had inflicted on the Melians, Histiaæans, Scionæans, Toronæans, and Æginetans, and others whom they had massacred or sold into slavery? When would the terrible Lysander appear? When would the Spartan Ephors send their orders? All that was certain was that the city was getting crowded with citizens sent home by Lysander, who had granted their lives on condition of returning to Athens.*

Lysander himself meanwhile was in no hurry. He sent no message home until he had reduced Lesbos, and despatched

¹ In the year of Alexias (Diodor. xiii. 104), which begins June 21, 405 B.C. For account of Ægospotami, see note on vi. l. 83.

² Xen. Hell. 2, 2, 3-4.

* Lysander purposely sent them home that the city, being crowded, might the sooner suffer from starvation, εἰδώς ὅτι ὅσῳ ἂν πλείους συλλεγῶσιν ἐς τὸ ἄστυ καὶ τὸν Πειραιᾶ θάπτον τῶν ἐπιτηδείων ἔνδειαν εἶσεσθαι. Xen. Hell. 2, 2, 2.

Eteonicus with ten triremes to Thrace, and had seen all the Hellenic States, except Samos, in open revolt from Athens. Even then he did not hasten back. He sent a message to the king, Agis, who was in Decelea, and another to the other king, Pausanias, who was at home, saying that he was on his way with 200 ships. The Spartans at once marched with all their available forces (*πανδημει*), and occupied the Academy, a gymnasium and gardens about a mile north-west of the city, where the two kings, Pausanias and Agis, coming respectively from Sparta and Decelea, joined each other.³ This had not long taken place when Lysander arrived at Ægina. There he expelled the Athenian settlers, and collecting such Æginetans as he could from Thyrea, put them in possession of the city.* He then ravaged Salamis, and finally dropped anchor at the Peiræus.⁴ His large fleet effectually prevented the ingress of corn ships, while the Spartan army in the Academy shut out all hope of relief from the land side.

The Athenians now knew their fate. They were to be starved into submission and surrender. They thought, however, that surrender meant death or slavery, and for a time they preferred to endure the pangs of hunger and the other miseries of a siege. The ordinary business of life was suspended, all political disabilities removed;⁵ the Senate of the Areopagus in this crisis took the direction of affairs into its hands;⁶ and though many were dying of hunger there was as yet no disposition to speak of making terms. We do not know exactly how long this state of things lasted. But perhaps we may conclude that about September the resolution of the people began to give way. They then sent commissioners to Agis in the Academy,⁷ offering peace and alliance on condition that the long walls and the walls of Peiræus should be left intact. Agis referred them to the Ephors; and they accordingly set out for Sparta. The Ephors met them at Sellasia, on the frontier of Laconia, at the junction of the roads from Argos and Tegea, and promptly dismissed them with the warning that they must much improve their offers if they had any hopes of success. The demand now

³ Diodor. xiii. 107. * For the Athenians in Ægina see Thucyd. 2, 27; 7, 57.

⁴ Xen. Hell. 2, 2, 5-9. Xenophon says he anchored at the Peiræus with 150 ships. Diodorus (xiii. 107) says, with 'more than 200.' The difference may be accounted for by supposing Diodorus to be thinking of Lysander's whole fleet, which was 200 (Xen. 2, 2, 7), but of which he doubtless left some at Ægina, and reserved others for the expedition to Samos. He kept a strict blockade, proclaiming death to any one who brought in corn, which some nevertheless did. See Isocr. xviii. § 61.

⁵ τοὺς ἀτρίμους ἐπιτρίμους ποιήσαντες ἐκαπρέπου. Hell. 2, 2, 11.

⁶ Lysias, Eratost. l. 472, just as it came forward with assistance on the Persian invasion. Plut. Them. x. 3.

⁷ Or to Decelea, as, according to Diodorus, the Spartan army was shortly withdrawn, the blockade being left to the ships, which was sufficient, as the supplies of corn came by sea. Diod. xiii. 107.

made by the Ephors seem to have been much less severe than that actually enforced afterwards; and to have been confined to the demolition of ten stades of the long walls.⁸ The answer brought by these commissioners spread despair in the city. But still they were resolved to resist this destruction of their fortifications, and Archestratus, who ventured to speak in favour of yielding, was thrown into prison.

Meanwhile Lysander, having effectually blockaded the Peiræus, appears to have gone to Samos with the view of reducing the one faithful adherent of Athens still left.⁹ He probably considered that there were elements at work within the city which would attain his object without any further appeal to arms. If so, he was not mistaken. It was a chance for the Oligarchical faction, of which they could avail themselves with all the appearance, and perhaps some of the reality, of patriotism.

Of that party, worsted for a time after the temporary Revolution of the 400, no one had greater influence with the people than Theramenes. Distrusted by his own party as a *doctrinaire* and unpractical politico-philosopher, jeered at by the comic poets as a turncoat,—a *cothurnus* that would fit either foot,—the people yet recognised in him a man that could be trusted, they thought, to put the safety of his country before fidelity to party. Yet in the year 405 he had been rejected on a scrutiny for the office of Strategus.*

This man persuaded the people to send him not to Sparta, but to Lysander, that he might ascertain whether the Spartans really meant to enslave them, or only wished the long walls down as a security for their good faith.¹⁰ He promised to obtain a peace for them without loss of walls or ships.¹¹ The people, believing his assurances, and thinking that if any one could do so he would be able to make good terms for them, gave him the authority he asked. He went, leaving the people in misery and painful expectation. But instead of returning quickly with good news he spent three months with Lysander, waiting (Lysias bitterly affirms) till the people were so starved as to be willing to accept any terms.¹² Nor were the Oligarchical party idle during his absence. They were busy in persuading everybody to give in to the Spartan proposals, and in getting out of the way those who were prominent for their resistance to them.

⁸ Lys. Agoratus, § 14, l. 92. Xen. Hell. 2, 2, 15.

⁹ Plutarch (Lysand. 14) says he was in 'Asia,' but that seems to be a loose expression for the coast and islands.

* Lys. Agor. § 10. The nickname *κόθορνος* is found in Xen. Hell. 2, 8, 81 (Critias' speech), Plutarch, Republ. 277; Nic. 2; the Scholiast on Aristophanes, Ran. 541, 964-8. The *Ranæ* was exhibited in B.C. 405.

¹⁰ *πλωτῶς ἐνεκα*. Xen. Hell. 2, 2, 16.

¹¹ Lys. Eratosth. § 68, l. 467.

¹² Lys. 1. c. Xen. Hell. 2, 2, 16.

Thus the demagogue Cleophon, who had been most strenuous in his opposition, was put to death on some frivolous accusation; and this specimen of the spirit in which the Oligarchs acted was further illustrated by the fall of others in a similar manner.¹³ On his returning to Athens Theramenes found, not only that the people were so reduced by misery that they were willing to submit to any terms, but that the party which had been loudest for resistance were frightened into silence. Even then he brought no satisfactory answer from Lysander. He was referred, he said, to the Ephors and must go to them. He was sent with nine others to Sparta, with full powers to treat for peace. When the ten ambassadors returned they were met by an anxious crowd, eager for peace and for the power of leaving the hunger-stricken city. Theramenes had a heavy tale to tell. There had been solemn deliberations at Sparta, and envoys from Corinth and Thebes had urged the entire destruction of Athens; but the Spartans had refused to listen to such a proposition in regard to a city which had done such service to Hellas; and they now granted a peace on these terms:—

- (1.) Long walls, and walls of Peiræus, to be pulled down.
- (2.) All ships, except twelve, to be given up.
- (3.) Exiles (*i.e.* of the Oligarchical party) to be recalled, and an offensive and defensive alliance to be made with Sparta: Athens acknowledging her supremacy and serving under her by land and sea.¹⁴

The terms were dreadful, and Lysias accuses Theramenes of being the willing proposer of them, and that he did not merely accept them under compulsion.¹⁵ But hard as the terms were, they fell short of the worst,—destruction and slavery. They were brought before an assembly and accepted with only a few dissentients. It was now the spring of the year 404. B.C. 404, and after the sufferings of the winter it must have been with comparative indifference that the citizens saw Lysander sail into the Peiræus, and watched him inaugurating the destruction of the long walls to the music of flute girls, and with every sign of eagerness and joy. The exiled Oligarchs had hastened back, and loudly declared that it was the birthday of liberty for Hellas.

The destruction of the long walls does not seem to have proceeded very fast or very far,¹⁶ and Lysander soon returned to

¹³ Lys. Agorat. § 12, l. 55; x. l. 815 sq.; Demosth. 238.

¹⁴ A last condition is added by Diodorus, xiii. 107, viz., 'Athens to abandon all towns of which she had taken possession.' Xenophon (Hell. 2, 2, 20) only mentions the first three.

¹⁵ Lys. vi. § 70.

¹⁶ Lys. v. l. 513. For we find that Lysander in the autumn declared that the Athenians had not fulfilled their part in the terms.

his operations in Samos. But though the formal conditions of the peace were such as we have seen, there was another one, well understood, though not publicly professed. It was the abolition of the democratical form of government, and the substitution of an oligarchy.¹⁷

The end of the Attic year was now fast approaching [the year of *Alexias*, ending June 21, B.C. 404], when a new Boule, new Archons, Phylarchs, and other officers, would have to be appointed. The Oligarchical party, now in the ascendant, were resolved to seize this opportunity of consummating the Revolution they had long wished for. The existing Boule was oligarchical in tone, and lent itself readily to their schemes;¹⁸ nor had the people perhaps after their long months of suffering sufficient spirit for effectual resistance,—the returned exiles no doubt helping to silence the murmurs of those who were still loyal to the Constitution.

The movement was begun by the political clubs. Five men were appointed by their fellow clubsmen, called in compliment to Sparta *Ephors*. These men, without having official rank, were to dictate generally to the Ecclesia, and to cause Phylarchs to be appointed who were favourable to the Oligarchical party.¹⁹ The name of Theramenes is not mentioned among these Ephors, of whom Critias and Eratosthenes were two, but he seems to have acted with authority throughout these months. He would not allow any assembly to be held until he had again sent for Lysander.²⁰ Then in an assembly, at which the Spartan commanders, Lysander, Philochares, and Miltiades, were present, he proposed the appointment of Thirty men to draw up a code of laws,²¹ and meanwhile to carry on the government. The proposal was received with disapproving shouts, but Lysander himself spoke, and hinted broadly that the people had rendered themselves liable to be sold into slavery for transgressing the terms of the peace, and had better look to their safety first.²² Theramenes also spoke with energy, declaring that he cared nothing for the clamour, and that not only had he at his back the Spartan power, but a large number of citizens.²³ The result was that the opposers were silent, and either voted for the Thirty or left without

¹⁷ Lysias affirms that this was one of the voluntary offers made by Theramenes to Sparta. v. § 70.

¹⁸ Lysias, vi. § 20.

¹⁹ Lysias, v. § 43-4.

²⁰ Lys. v. § 71.

²¹ Xen. Hell. 2, 3, 2. Diod. xiv. 3. Lys. xiv. 108. The *γραφὴ παραβύων* was first abolished, Aeschin. iii. § 191.

²² Lys. v. § 74.

²³ *Ibid.* But Diodorus (xiv. 3) represents Theramenes as resisting the proposal, and being silenced by a threat of death: a confusion apparently arising from his view of Theramenes as a friend of the Demos.

voting,²⁴ and the assembly voted for the appointment of the Thirty, who were made up of—Ten nominated by the above-named Ephors; ten nominated by Theramenes; ten chosen from the Ecclesia then assembled.²⁵ Their names were: ²⁶—

Polychares	Hieron	Diocles	Sophocles	Æschines	Dracontides
Critias	Mnesilochus	Phædrias	Eratosthenes	Theogenes	Eumathes
Melobius	Chremon	Chæreleos	Charicles	Cleomedes	Aristoteles
Hippolochus	Theramenes	Anæctius	Onomacles	Erisistratus	Hippomachus
Euclides	Aresias	Peison	Theognis	Pheidon	Mnesithides.

These Thirty were formally appointed by a vote of the Ecclesia, and Diodorus asserts that Theramenes was especially selected by the Demus from their confidence in his integrity.²⁷

Whatever misgivings were entertained by the citizens at these changes, the immediate results were calculated to dispel them. Lysander and his fleet departed to Samos, and Agis at length evacuated Decelea and disbanded the army which had occupied it.²⁸ The relief must have been immense. The occupation of Decelea had now lasted nine years, and had been not only the cause of great loss but of bitter humiliation to the Athenians.²⁹ Now, at length the country would be free for the farmer and shepherd, and the overcrowded city find some relief, and peaceable citizens might go about their ordinary business. This pleasing anticipation was soon dispelled. The June 21, B.C. 404, the *ἀναρχία* or ‘year without an Archon,’ though *Pythodorus* was called Archon Eponymus by the Oligarchs. Thirty, continually postponing the revision of the laws, which was the ostensible reason of their appointment, set about establishing their power. They first secured the nomination of a Boulè and various officials devoted to their interests.³⁰ They then immediately began the bloody work which has rendered them infamous.

The first steps taken in this direction did not seriously alarm honest citizens. Their first victims were the men who had gained an evil reputation as informers under the Democracy.³¹ But they were conscious that their next step would be attended with more danger. They therefore asked and obtained the presence of a Spartan guard, and a harmost, Callibius. Relying upon these supporters they began to put to death not only such wretches as they had seized at first, but all whom they believed to be disaffected to their régime, and whose wealth

²⁴ Lys. v. § 75.

²⁶ Xen. Hell. 2, 3, 2.

²⁸ Xen. Hell. 2, 3, 8.

³⁰ *ἐκ τῶν ἰδίων φίλων*. Diod. 14, 4. Lysias, vi. § 74, asserts that the Thirty and the Boulè were members of the 400 and their partizans, who had been in banishment.

³¹ Xen. Hell. 2, 3, 12. Cp. Lys. v. [12], § 5, *φάσκοντες δὲ χρῆναι τῶν ἀδίκων καθαρὰν ποιῆσαι τὴν πόλιν*.

²⁵ Lys. v. § 76, *ἐκ τῶν παρόντων*.

²⁷ Diodor. xiv. 4. See note 23.

²⁹ Thucyd. 7, 19, 27.

made them worth attacking,³³ employing for that object the services of various spies and informers.³³

These cruelties, however, were not equally approved of by all the Thirty. Theramenes had had no such views in promoting the Revolution. He had a dream of a model State, from which all sycophants and evildoers should be banished, and in which 'the best men' should really govern. But this merciless execution of good men, for no offence but a leaning to the Democracy under which they had been bred, was odious to him. His opposition, in which he seems to have been supported by Eratosthenes,³⁴ alarmed Critias and the more violent section of the Thirty. Critias proposed as a compromise that a roll of privileged persons (3000 in number) should be drawn up, and should exercise the functions of the old Ecclesia. But Theramenes objected to a definite number. 'The object,' he argued, 'of all our measures is to have the best men (οἱ βέλτιστοι) as governors. It is unreasonable to suppose that such persons could ever be included in a definite number. This measure is neither one thing nor the other. It tries to establish a government which in reality is arbitrary, while in form democratical.' He was, however, overborne: the catalogue of the 3000 was drawn up; all other citizens were deprived of their arms, which were stored on the Acropolis; and this was followed by the murder of many citizens, some for the sake of their property, others from motives of private enmity.³⁵

Still money was urgently needed, especially for the pay of the Spartan guard and harmost, whom they had promised to support.³⁶ Theognis and Peison accordingly proposed that certain rich Aliens or Metics should be put to death and their property confiscated. The pretence was to be as usual 'disaffection.' Each of the Thirty was to select a victim, and they were to arrange the execution of the design with each other.³⁷ But Theramenes again interposed, protesting that in so acting they would be worse than ordinary 'Sycophants,' who at any rate were content with obtaining the forfeiture of their victims' goods. The violent party among the Thirty saw that Theramenes must be got rid of. A meeting of the Boulè was summoned. The tyrants attended with daggers concealed about their persons. Critias spoke, justifying bloodshed as necessary in a Revolution, and denouncing Theramenes as worse than an open

³³ Diodor. xiv. 4.

³³ Batrachus and Æschylides are named by Lys. Erat. § 48.

³⁴ Lys., v. § 50.

³⁵ Xen. Hell. 2, 3, 15-21.

³⁶ Xen. Hell. 2, 3, 13, *θρέψειν δὲ αὐτοὶ ὑπισχνούντο*.

³⁷ Lys., v. § 6-7.

enemy,—a traitor to his own friends as he had ever been. Theramenes replied, justifying his changes of policy as being always dictated by the public interests, and denouncing the policy of Critias as tending to weaken the State by removing its best men. The Boulè was impressed by the words of Theramenes. Critias saw this, and at once bade his partizans show their arms; and since the new law allowed the Thirty on their own responsibility to put to death all who were not on the 'Catalogue,' he erased the name of Theramenes, and exclaimed, 'καὶ τοῦτον ἡμεῖς θανατοῦμεν.'³⁸ Theramenes sprang to the altar. But the herald of the Thirty summoned the Eleven. They entered, headed by the shameless Satyrus, and in spite of his protests dragged Theramenes from the altar, and led him through the Agora to the prison, where he was compelled to drink the fatal hemlock. During this scene the Boulè sat silent, awed by the daggers of the Thirty.³⁹

Thus released from all control, Critias and his party pushed on in their course of murder. The resolution as to the Metics had been partially carried out. Ten had been selected, of whom two were poor men, that their object should not be too obviously plunder, and these were visited in their houses* or captured in the street and speedily executed and their property fell into the hands of the Thirty. (Lysias, Eratosth. § 7.) Thus supplied with money, the Tyrants took further measures for their own security. They forbade all persons not in the 'Catalogue' to enter the upper city (τὸ ἄστυ) at all. At the same time they expelled them from their lands, which they gave to their own friends. These unhappy persons crowded into the Peiræus, or fled to Megara, Thebes, Chalcis, and other towns.⁴⁰ Diodorus asserts that more than half the citizens were in exile.⁴¹ The Tyrants regarded these refugees as the French Republican Government did the *émigrés*. They demanded from the various towns that they should be given up. But their demand seems almost universally to have been refused, in spite of the influence of Sparta; the Thebans and the Argives, mainly no doubt from jealousy of Sparta, being especially forward in protecting them.⁴²

September B.C. These transactions lasted through the summer 404. months of B.C. 404. In September of that year an event occurred which showed the Tyrants that they

³⁸ Xen. Hell. 2, 3, 51. But see Arist. R. A. 86-7.

³⁹ Diodorus (xxv. 5) asserts that Socrates, with two friends, endeavoured to rescue him [*ἄτε καὶ φιλοσοφίας ἐπὶ πλείον μετεσχηκὼς παρὰ Σωκράτει*]. His authority, however, is of little weight.

⁴⁰ Xen. Hell. 2, 4, 1. Lysias, *περὶ τοῦ ἀδυνάτου*, § 25.

⁴¹ xiv. 5. ⁴² See on v. l. 174. * An especial grievance, Dem. Androt. § 50.

were not to be allowed to pursue their course unchecked. Thrasybulus, who had shown his devotion to the cause of Democracy at the time of the Four Hundred,⁴³ was one of those who had taken refuge at Thebes. This man with seventy followers suddenly sallied out of Thebes and seized Phylæ, a place about twelve miles from Athens, of great strength and importance, as commanding the pass over Mount Parnes.⁴⁴ This movement was secretly encouraged by the Theban authorities,⁴⁵ no doubt from jealousy of Sparta, and its success immediately attracted the exiled Democrats from all sides. The Tyrants recognised their danger. They at once mustered their forces and marched out to attack Thrasybulus. Some of the younger and rasher spirits made an attempt to carry the place by storm, but were repulsed with loss. A snowstorm coming on in the night, after a fine day, created a panic in the camp, and caused them to return hurriedly to Athens with a considerable loss of baggage.⁴⁶ Preparations for a siege, however, were made. They sent the Spartan guards and two phylæ of cavalry to do duty on the frontier to prevent Thrasybulus from plundering the country, and did establish some form of blockade. Meanwhile Thrasybulus, having command of the road towards Thebes, was collecting a considerable force, and soon had 700⁴⁷ men with him, the exiled Democrats flocking into his camp. By a bold stroke he completed the discomfiture of his assailants. He surprised their camp in the night, killed 120 hoplites, and three knights. This seems to have broken up the beleaguering force. The Tyrants in alarm determined to secure for themselves a place of retreat in the event of their being unable to retain their position in Athens. They fastened upon Eleusis, which was especially important as commanding the western pass from Attica to the north over Dryosephale, the party of Thrasybulus holding the central pass by Phyle. Under a pretence of holding an inspection of the citizens of Eleusis capable of bearing arms, they ordered them to file out of the city gate nearest the sea. As the name of each was taken down on the register, he passed through the gate. When, however, they got to the beach they found themselves surrounded by horsemen, whose attendants arrested them and delivered them to the custody of the Eleven. Next day an assembly was held in the Odeum of the hoplites and equites in the 'Catalogue,' and at the instance of

⁴³ Thucyd. 8, 73-5.

⁴⁴ Xen. Hell. 2, 4, 2.

⁴⁵ Diodor. xiv. 32, *συνεργούντων αὐτῷ λάθρα τῶν Θεβαίων.*

⁴⁶ Diodorus (xiv. 32), like Xenophon (Hell. 2, 4, 3), mentions the snow-storm and the consequent panic. But his order of events differs from that of Xenophon, in that he represents the settlement of the citizens not in the 'Catalogue' in the Peiræus as subsequent to this occupation of Phylæ. But of course his authority is as nothing against that of Xenophon.

⁴⁷ Xen. Hell. 2, 415. Diodorus (l. c.) says 1200.

Critias, who bluntly said that he wished to involve them in the consequences with himself (see Plat. *Apol.* § 32), they were condemned to death, and by one vote, which in itself was illegal.⁴⁸

This probably took place in November B.C. 404, and Thrasybulus, now with over 1000 men, retaliated by effecting an entrance into Peiræus by night. The Tyrants, with hoplites, Spartan guards, and knights, hurried down the road between the long walls. Thrasybulus endeavoured to prevent their entrance into the Peiræus, but without success, the space to be guarded proving too large. He therefore retired to Munychia, an elevation on the eastern part of the Peiræus,⁴⁹ where there was a temple of Artemis and a sacred enclosure called the Bendedeion. The Tyrants occupied the Agora of the main town, and the road leading from it to Munychia. They had the superiority in numbers, and their troops were massed fifty deep; but Thrasybulus had the great advantage of an elevated position, having a slope to charge down, and the enemy so thickly massed in front of them that his men could not well miss doing execution with arrows and javelins. After a short but stirring speech Thrasybulus gave the word [*Ἐννάλιος*] for the charge, and they rushed down the hill, turned the enemy, and pursued them to the level ground.⁵⁰ But though no great execution seems to have been done, the victory was rendered extremely valuable by the fall of Critias, who, with another of the Tyrants, Hippomachus, and about seventy men, was killed in the *mêlée*.

The result was a conference between the two parties. November 404. Cleocritus, occupying a peculiar and sacred position as *μυστῶν κῆρυξ*, urged the necessity of peace, and declared that the Tyrants in eight months⁵¹ had killed more than the Spartans in ten years.* The Tyrants, without making any answer, returned to the city, and the next day remained in gloomy conference in their council-chamber. The Three Thousand did not at first meet in a body, but collecting in groups consulted with each other. Those of them who felt themselves deeply involved in the guilt of the Tyrants were for holding out; others were for accepting terms. Finally they met and voted the deposition of the Thirty, and the appointment of ten commissioners to treat with Thrasybu-

⁴⁸ As being against the *psephisma Cannoni*, as in the case of the generals after Arginusæ. Xen. *Hell.* 2, 4, 9. Lysias, v. l. 370. Lysias mentions a visit to Salamis, and Diodorus (14, 32) also mentions Salaminians. The latter were probably those expelled by Lysander.

⁴⁹ *Λόφον ἔρημον καὶ καρτερόν.* Diod. 14, 33.

⁵⁰ Diodorus (xiv. 33) speaks of a long and obstinate resistance. That is not the impression to be gathered from Xenophon [*Hell.* 2, 4, 19].

⁵¹ Xen. *Hell.* 2, 4, 21. The eight months must be counted from the end of March to the end of November. * More than 1500, Aeschin. iii. § 235.

lus.⁵² The Tyrants, with the exception of Pheidon and Eratosthenes, retired to Eleusis. The Ten, however, did not show any disposition to make terms with the party of the Peiræus,⁵³ who, growing more and more numerous, within ten days occupied the whole of Peiræus, and began a kind of siege of the Asty itself.⁵⁴

Meanwhile pressing messages for help reached Sparta from Eleusis and from the Ten in the city.⁵⁵ Nor did Lysander fail his friends in their necessity. He obtained for them a loan of 100 talents,⁵⁶ and managed to get himself appointed har-most, and his brother Libys navarchus. The party of the Peiræus were now in great straits, being beset by sea and land. But the Spartan king, Pausanias, grudged Lysander such a triumph. He persuaded the Ephors to withdraw the Spartan 'guard,' and though he continued encamped near Peiræus he did not carry on the campaign with any serious intention of completing the business. After a sham assault, and a skirmish in which some 150 Athenians fell, he gave a hint that he was willing to receive ambassadors. They were forwarded to Sparta, and in spite of offers from the Ten to give up the city to the Spartans, an arrangement was come to, of which the following were the chief terms:—

- (1.) A complete amnesty and restitution of property to all.
- (2.) The only exceptions to be the Tyrants, the ten commissioners who had governed in the Peiræus,⁵⁷ and the Eleven, unless they submitted to the usual *εθνυαί*.⁵⁸
- (3.) Any of the city party who feared to stay in Athens might reside at Eleusis.

These events had occupied some months, but Thrasybulus was in possession of Athens before the end of the year of Pythodorus (the *ἀναρχία*), i.e. before June 21, B.C. 403. The old Ecclesia was restored and the Boulè and archons appointed for the next year, the Archon Eponymus being Euclides. This pacification was ratified by a solemn procession open to all citizens to join in a sacrifice to Athene on the Acropolis.⁵⁹

⁵² One from each tribe. Xen. Hell. 2, 4, 24. Diodorus (xiv. 33) says that they were meant to be ambassadors only to the party in the Peiræus, but made themselves tyrants.

⁵³ Lysias, v. l. 387-390 sq. Of the Ten Lysias gives three names—Pheidon, Hippocles, and Epichares.

⁵⁴ Xen. Hell. 2, 4, 27.

⁵⁵ Ib. 28. Lys. xiv. § 30.

⁵⁶ Afterwards acknowledged as a State debt and repaid. Demosth. c. Lept. 46. Cf. Lysias, xv. l. 175. Aristot. R. A. 40.

⁵⁷ τῶν ἐν Πειραιεὶ ἀρχόντων δέκα. Not the ten who succeeded the Thirty in the city. Aristot. R. A. 35.

⁵⁸ This proviso is not mentioned by Xenophon (Hell. 2, 4, 38), but is added by Andocides de Myst. § 90. It made little difference, as the *εθνυαί* would be sure to result in their condemnation.

⁵⁹ Lysias, vi. § 80-1. Plutarch, Glor. Ath. ch. vii. Aeschin. iii. § 187.

The Democratical party used their triumph with admirable moderation. Eratosthenes, though impeached by Lysias, does not appear to have been condemned.⁶⁰ But the party of the surviving Tyrants at Eleusis could not submit to their defeat, and were said to be hiring mercenary troops. Three years later an expedition was organised against them; their Strategi were, apparently with some treachery,⁶¹ taken and killed, and the rest induced to swear to the terms of pacification. [Aristot. R. A. 40.]

Thus this terrible year ended. The old constitution was restored and arrangements made for drawing up an amended code of laws. The amnesty was secured by a law of Archinus that an action for an alleged offence connected with these transactions might be met by demurrer, i.e. that the offence, if committed, was covered by the amnesty; and the demurrer was to be first tried.⁶² But though hostilities were at an end, and those who had engaged in them were protected by the amnesty from direct consequences,⁶³ yet the events of the year affected private interests for many years to come. Scarcely any of the extant speeches of Lysias is without reference to them. Either it is a man's character that is to be cleared or blackened, or it is the suspension of legal business that has entailed loss or given an opportunity for fraud, or the damage sustained by property during the hostilities is pleaded, or the consequence of having served in the cavalry under the Thirty is in question,—in many ways it is plain that the social effects of this year of anarchy remained long after the Revolution itself was at an end.

II.

'ATIMIA.

There is a well-known passage in Andocides (de Myst. § 74-5), which very clearly explains the principles on which this punishment was awarded. [Cf. Wayte on Dem. Androt. § 35.]

There were three kinds of *átimía* :—

(A.) Temporary *átimía*, arising from indebtedness to the State, which was terminated by a due satisfaction of such claims.

(B.) Total *átimía*, disabling a man and his descendants from all civil functions, but not touching his property.

(C.) Partial *átimía*, disabling a man from the exercise of certain defined acts.

⁶⁰ See on Lys. iv. 1. 209, and on v. 1. 558.

⁶¹ Xenophon (Hell. 2, 4, 43) says, τοὺς μὲν στρατηγούς ἐς λόγους ἐλθόντας ἀπέκτειναν.

⁶² Isocrat. c. Callim. xviii. 3.

⁶³ But certain persons remained under partial *átimía*. For instance, those who had served in the cavalry of the Thirty could not speak in the Ecclesia or serve in the Boulè. And. Myst. § 75. And the Demus seized every chance of getting rid of them. See viii. Intro.

(A.) A man might be indebted to the State in the following ways :—

- (1.) By being cast in a suit on his audit (*εὐθύνας*).
- (2.) Or for contempt of court (*ἐξούλας*).
- (3.) Or in public suits (*γραφάς*).
- (4.) Or having been summarily convicted and fined by a magistrate (*ἐπιβολήν*).
- (5.) Or having purchased a contract for some tax and failed to pay the treasury (*ὠνάς*).
- (6.) Or by having given bail to the State.

All such debtors were bound to pay in the ninth Prytany from the time of incurring the debt (*i.e.* in the third month), or to pay double, and to have their property confiscated for the satisfaction of the debt.

(B.) Total *ἀτιμία* excluded a man and his descendants from all civil functions, and was incurred by the following crimes (among others) :—

- (1.) Theft, or taking bribes (*κλοπῆς . . δώρων*).
- (2.) Military offences, leaving his proper rank (*λείπταξία*), not joining the army (*ἀστρατεία*), cowardice (*δειλία*), not joining his ship (*ἀναυμαχίου*), throwing away his shield (*ἀσπίδος ἀποβολή*).
- (3.) Having *three times* given false evidence (*ψευδομαρτυρίων*).
- (4.) Having *three times* made a false endorsement on a summons (*ψευδοκλητείας*).
- (5.) Ill-treatment of parents (*τοὺς γονέας κακῶς ποιεῖν*).

(C.) Partial *ἀτιμία*, inflicted for particular reasons and consisting of definite disabilities. For instance :—

- (1.) Men who had served under the Thirty were disabled *from speaking in the Ecclesia*, or being *members of the Boule*.
- (2.) Some were disabled from acting as prosecutors in public indictments.
- (3.) Some from laying an information (*ἐνδείξις*).
- (4.) Some from sailing to the Hellespont or to Ionia.
- (5.) Some from entering the Agora.

This is not of course an exhaustive list either of the ways in which *ἀτιμία* could be incurred, or the various degrees in which it was inflicted. But an attentive study of the passage, of which a *résumé* is here given, will convey a sufficiently clear idea of the subject, and will be a great help towards understanding more than one passage in these speeches.

III.

MONEY.

For the calculation of the various sums of money mentioned in these speeches, the following simple table will perhaps be useful :—

6 obols	= 1 drachma	$\frac{1}{6}$ ₤
100 drachmæ	= 1 mina	$\frac{1}{100}$ ₤
60 minæ (6000 dr.)	= 1 talent	₤

The talent and mina were not coins but sums, and were used as symbols in the calculation of coins. The standard coin was the drachma (about 10d.), and was, with its multiples, silver. When a numeral like *δισχίλια* is used without any coin being added, *δραχμαί* is always to be understood.

Besides this we have two gold coins alluded to—(1) the daric (v. l. 72), which was reckoned as worth twenty Attic drachmæ; (2) the Kyzikene stater (*ib.*), which at any rate in the Bosphorus was worth twenty-eight Attic drachmæ (Demosth. 914); whether it was of that value universally does not seem certain, though perhaps Demosthenes' words (*ἐκεῖ ἐδύνατο*) may imply that it was not; (3) the Attic stater was worth 20 drachmæ, or if pure gold, 28; see Head, *Hist. Num.* p. 450; Kirch. *C. I. A.*, p. 160.

The Athenian silver coinage was purer than that of most other States, though at times attempts were made to debase it. See Arist. *Ran.* 717 *sq.* Xen. *Vect.* iii. 2. Polyb. 21, 32.

Down to the half-obol it was of silver, not copper, which helps to explain that curious habit often alluded to by Aristophanes of putting small change in the mouth. See *Equit.* 51. Pax, 645. *Vespæ*, 609. *Aves*, 503. *Eccles.* 818. *Theophrast.* Char. vi.

IV.

HARPOCRATION'S LEXICON.

The following speeches of Lysias are quoted by Harpocration (fl. circa 350 A.D.) Those printed in thick type are extant. Those to which an asterisk is prefixed are, according to him, of doubtful genuineness; those to which two asterisks are prefixed are sometimes referred to by him as doubtful (*ἐι γνήσιός ἐστι*) sometimes without any mark of doubt.

Λισχίνην, πρὸς.
Λισχίνου, κατὰ.
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¹ See κατὰ Νικομάχου, § 11.

² (?) the same as the ὑπέρ τοῦ στρατιώτου (Or. 8).

³ (?) κατὰ Φίλωνος (Or. 31).

V.

[Oath of Athenian Dicasts. Demosth. 746. For reasons against receiving it as the genuine oath, see Wayte's notes. For the objection to Clause 2 'as if a tyranny could be voted,' it might be alleged that 'political decisions' have never failed to bring discredit on law courts, and it is in this sense that an inequitable decision is in its nature revolutionary, that Demosth., *ib.* § 152, interprets it, cf. Aesch. iii. § 195; besides, a certain number of them annually revised the laws as *Nomothetae*.]

'I will vote in accordance with the laws and the decrees of the Demus of the Athenians, and of the Boulè of the Five Hundred.

'That a tyrant should be I will not vote, nor an oligarchy; nor, if any try to abolish the Demus of the Athenians, or speak or put to the vote aught contrary to these things, will I hearken to him.

'Nor a cancelling of private debts, nor a redistribution of land or houses of the Athenians.

'I will not recall those in exile, nor those on whom sentence of death has been passed. Neither those who are abiding will I banish contrary to the existing laws and the decrees of the Demus of the Athenians,—I will not do so myself, nor suffer others so to do.

'I will not confirm an office so that a man hold it before he have passed his audit for another office, whether one of the nine Archons, or sacred Recorder, or whatever offices are balloted for this day with the nine Archons,—whether herald, or ambassador, or deputies.¹

'I will not vote that the same man hold the same office twice, nor that the same man hold two offices in the same year.

'I will receive no gifts on account of my service in court,—neither myself nor any other man or woman for me, by any means or contrivance whatsoever.

'I am not under thirty years of age.

'I will listen to the accuser and the defendant both alike.

'I will give my vote on the question at issue, and none other.

'I swear by Zeus Poseidon Demeter: I invoke utter destruction on myself and my house² if I transgress aught of these things, and many blessings if I keep my oath.'

¹ *σύνεδροι*, i.e. members of the Congress of States sitting at Athens after B.C. 377. See Dict. of Antiq., Grote, ix. p. 819.

² Compare the comic oath in Aristoph. Ran. 586:—

ἀλλ' ἦν σε τοῦ λοιποῦ ποτ' ἀφέλωμαι χρόνου
πρόρριζος αὐτὸς, ἡ γυνή, τὰ παῖδια
κάκιςτ' ἀπολοίμην.

Pollux (8, 122) says that the oath was by Zeus, Demeter, and Apollo.

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THE END.



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